

MINUTES OF  
ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

March 6, 1981

The regular quarter-annual meeting of the State Board of Technical Registration was held at the University of Arizona, Houston Room, Physical Resources Building, Tucson, Arizona, on Friday, March 6, 1981. The meeting was called to order by Vice-chairman Charles E. O'Bannon at 10:00 a.m.

PRESENT: Charles E. O'Bannon, Vice-chairman  
Jimmie R. Nunn, Secretary  
Hector C. Durand, Member  
Patricia J. Finley, Member  
Rod J. Gomez, Member  
William S. Gookin, Member  
John B. Riggs, Member

Gary L. Sheets, Asst. Attorney General  
F. Mark Edson, Executive Director  
Patricia Wood, Admin. Secretary

ABSENT: Wayne O. Earley, Chairman  
Silas C. Brown, Member

Those present constituted a quorum.

The Vice-chairman opened the meeting by expressing his appreciation on behalf of the Board to the University of Arizona for hosting the meeting and for the effort put forth by the College of Engineering for the use of the facilities and refreshments.

The Vice-chairman recognized Dr. R. A. Jimenez, Consultant to the Uniform Examinations and Qualifications Committee of the NCEE. Dr. Jimenez responded to correspondence received from the Executive Director of February 24, 1981, regarding engineering examination cutoff scores of the EIT & Principals and Practice Examinations.

(See Minute Book Page 4909)

Dr. Jimenez informed the Board the National Examination Committee will be meeting on April 2 and 3; and at this time, this communication would be presented. Dr. Jimenez also commented on how the passing level of the EIT and Principals and Practice examinations were determined. On the Principals and Practice examination, it has been the practice to set the cut cutoff score, as set by a minimum passing score committee, as the mean minus approximately one-half a standard deviation. The mean is the average of the raw scores of all people taking the exams. The raw score is the actual exam performance out of a possible 80 points total.

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The acceptance of this cutoff score was from the questionnaire sent to all of the states. Better than 90% accepted this cutoff score without modification. If the Board accepts comity, Dr. Jimenez was of the opinion this would be the simplest procedure. He anticipated this procedure would change following a present Task Analysis for Engineering. At the present time, this analysis is still being developed to more accurately define the tasks involved in engineering. On the passing score for Sanitary Engineer, one he has researched with three others, if NCEE stood firm on the basis of a mean minus one-half the standard deviation, the passing score would have been 80%, and those getting 75% would have failed. Most of the state laws state 70% is a passing score. Four years of exams were reviewed on the Sanitary Engineer exams, and recommendations were made to the Council on what should be done. The objective of the examinations, Dr. Jimenez stated, was not to find out how smart the applicant is but to determine minimum competency.

The 70% pass score is based on the mean, minus one-half the standard deviation. The findings were based on the consistency of the four year's performance of the exams.

The Vice-chairman requested the Executive Director prepare a list of passing raw scores for the last four years for Dr. Jimenez, because looking at Civil Engineering and a raw score of 54% last year, he would assume the 54% score was on the basis of 100%, which in the Vice-chairman's opinion was unrealistic.

Dr. Jimenez indicated this passing procedure must be defensible in Court.

It was the concern of the Board, as expressed by the Vice-chairman, that the procedure does set itself up for abuse, and he requested Dr. Jimenez convey the Board's concern to the National Council. Dr. Jimenez stated the scoring procedure is subject to change based on the findings of the Task Analysis report.

Dr. Jimenez explained how the EIT was graded: Prior to the last exam, the score was based on performance by the ECPD students at the accredited universities. A committee has established the minimum cutoff score, regardless of prior training. It was an expert committee that decided the minimum score for minimum competency.

The Vice-chairman directed the Executive Director write a letter inviting Dr. Jimenez to attend the regular meeting of the Board in June and make a report of the NCEE meeting to be held on April 2 and 3rd.

MOTION: It was moved by Mr. Durand and seconded by Mr. Gomez that Dr. Jimenez be paid a consultant fee, not to exceed \$100, plus travel expenses, for attending the coming June meeting of the Board to report on the activities of the NCEE meeting April 2nd and 3rd. Motion carried.

1. READING OF MINUTES

- A. It was requested by the Vice-chairman to delay approval of the minutes of the Special Board Meeting of September 26, 1980, until the June meeting.
- B. It was requested by the Vice-chairman to delay approval of the minutes of the Enforcement Committee meeting of October 24, 1980, until the June meeting.
- C. MOTION: It was moved by Mr. Gookin and seconded by Mr. Riggs that minutes of the Regular Board Meeting of December 5, 1980, be approved. Motion carried.
- D. MOTION: It was moved by Mr. Gookin and seconded by Ms. Finley that minutes of Special Board meeting of December 19, 1980, be approved. Motion carried.
- E. MOTION: It was moved by Mr. Gookin and seconded by Mr. Nunn that minutes of Special Board Meeting of February 13, 1981, be approved. Motion carried.
- F. MOTION: It was moved by Mr. Gookin and seconded by Mr. Nunn that minutes of Special Board meeting of February 24, 1981, be approved. Motion carried.

2. REPORT OF RULES AND BY-LAWS COMMITTEE

Membership: Nunn, Chairman; O'Bannon; Brown; Finley  
Mr. Nunn reported on the Rules and By-Laws Committee indication that the Rule changes are with the Rules and By-Laws Committee. At the last Committee meeting it was authorized that a public hearing be held on certain rule changes. This date has been requested for Board approval as April 17 with a notice of such meeting to be distributed to the Secretary of State and the Attorney General's Office.

3. REPORT OF THE LEGISLATIVE COMMITTEE

Membership: Gomez, Chairman; Riggs, Durand  
Mr. Gomez reported on the Legislative Committee as follows:  
HB 2115 - Revisions to ARS 32- Chap. 1 - Technical Registration Act.

House: Passed with amendment Tourism, Professions & Occupations Committee, Government Operations Committee, Rules Committee.  
Scheduled March 5, 1981 for Committee of the Whole and House action.

Other Bills:

HB 2110 - Landscape Contractors Exemption

Passed House - Presently held by James Mack, waiting on calendar of Senate Commerce Committee. Much pressure to pass from Landscape Contractors and employees.

Commentary - The amendment regarding the compromise to Civil Engineering - Land Surveyor issue on H.B. 2115 was fouled with do pass amendment of the Government Operations Committee. We talked with John Wettaw for two hours prior to Committee action in one minute spurts every 20 minutes or so when he came to the Hall to clarify discussion. He was determined to strike the language relating to our new non-registrant exemption in Landscape work. At the end of the 2nd hour and 5th or 6th brief meeting, our argument finally penetrated, and he agreed to delete the "strike" language from his do-pass motion on the amendment. The situation was so confused, he having the only print of his motion, that in making the motion he also deleted the "strike" of the Land Surveyors Grandfather clause, which was half the agreement he intended to move. While he was unhappy about the error, he did agree to try to correct it in floor actions today.

If the bill got out of the House in good shape with our recommended exemption, we can now work to defeat H.B. 2110.

The Executive Director was directed to negotiate the monetary exemption from \$5,000 to \$15,000 if this would help accomplish defeating H.B. 2110.

- B. Mr. Gomez reported on the progress of Task Committee on Rules of Conduct. The new Registration Act passed effective April 1980 now gives the Board the authority to have a Code of Ethics. Mr. Gomez requested copies be distributed to all Board members of the Professionalism and Ethics Special Ad Hoc Committee report of the NCEE. It was the recommendation of the Task Committee on Rules of Conduct that the rules be adopted by the Board. Refer to Minute Book Pages 4910 - 4914.



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The Executive Director was directed by the Vice-chairman to include this matter on the June Board agenda, and to distribute a copy of the report Professionalism and Ethics Special Ad Hoc Committee to all Board members for their review, to be taken up for discussion and adoption at the June meeting.

4. REPORT OF THE EVALUATION COMMITTEES

A. Architectural Evaluation Committee

Membership: (Nunn, Chairman; Earley; O'Bannon)  
(Riggs, Chairman; Gomez; Durand)

Mr. Nunn reported on the meetings of the Architectural Evaluation Committees held on January 9, 1981, February 12, 1981, and February 13, 1981, as shown on Minute Book Pages 4915 - 4916.

MOTION: It was moved by Mr. Nunn and seconded by Mr. Riggs that the Architectural Committee reports be accepted, certified, and implemented. Motion carried.

B. Landscape Architecture Evaluation Committee

Membership: Earley, Chairman; Finley, Gookin  
Ms. Finley presented the report of the Landscape Architectural Evaluation Committee shown on Minute Page 4917.

MOTION: It was moved by Ms. Finley and seconded by Mr. Gookin that the Landscape Architectural Committee reports be accepted, certified, and implemented. Motion carried.

C. Engineering, Land Surveying and Geology Evaluation Committee

Membership: (Gomez, Chairman; Durand, Riggs)  
(O'Bannon, Chairman; Nunn, Brown)  
(Gookin, Chairman; Finley, Earley)

- (1) Mr. Gomez presented the report of the Engineering, Land Surveying and Geology Evaluation Committee shown on Minute Pages 4918 - 4921.

MOTION: It was moved by Mr. Gomez and seconded by Mr. Durand that the report be accepted, certified, and implemented. Motion carried.

- (2) 80-363 - BAY, Herbert E. , Mechanical Engineer

MOTION: It was moved by Mr. Gookin and seconded by Mr. Nunn that at the request of Mr. Bay his request for registration be tabled until the June meeting of the Board. Motion carried.

- (3) 80-491, POOL, William Gordon, Land Surveyor

Mr. Pool appeared before the Board on behalf of his appeal for registration of the Evaluation Committee's recommendation.

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MOTION: It was moved by Mr. Durand and seconded by Mr. Riggs that Mr. Pool be granted four year's experience in Land Surveying and be allowed to take Parts 1 and 2 of the Land Surveying test.

MOTION: It was moved by Mr. Gookin and seconded by Mr. Gomez that the aforementioned motion be amended to permit Mr. Pool to take Parts 1, 2, 3, and 4 of the Land Surveyor's examination and, if passed, that he be registered as a Land Surveyor.

RULING: The Vice-chairman ruled the amendment changed the intent of the original motion and was, therefore, out of order.

Mr. Nunn called for the question on the original motion.

The Vice-chairman called for a roll- call vote.  
Roll-call vote as follows:

J. R. Nunn - No  
H. Durand - Yes  
P. Finley - Yes  
R. Gomez - No  
W. Gookin - No  
J. Riggs - Yes

C. O'Bannon - No

MOTION: It was moved by Mr. Gookin and seconded by Mr. Gomez that Mr. Pool be admitted to Parts 1, 2, 3, and 4 of the Land Surveyor's exam, and if passed, be allowed to be registered.

The Executive Director clarified the motion; that in so moving the finding would be to declare the applicant's six years and one month experience acceptable.

The Vice-chairman called for discussion on the motion.

Mr. Gomez posed a question to the Assistant Attorney General in that if it is the Board's ruling that the applicant has the required amount of experience, does the fact that he has not been engaged in the practice of responsible land surveying in his present employment, does this fact have any bearing on the Board approval for testing?

The answer of the Attorney General was that the key language in the Rules is "of a character satisfactory to the Board," and it would be reasonable for the Board to determine that someone who had not been actively doing land surveying for some years could be lacking in knowledge of changes occurring in the practice.

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Mr. Durand spoke in opposition to the motion, and requested that a copy of his communication on this matter to the Board dated March 3, 1981 be entered in to the record. Letter shown on Minute Book Pages 4928 - 4930.

The Vice-chairman called for the question on motion made by Mr. Gookin. Mr. Gookin requested a roll-call vote. Roll-call vote is as follows:

J. R. Nunn	-	Yes
H. Durand	-	No
P. Finley	-	No
R. Gomez	-	Yes
W. Gookin	-	Yes
J. Riggs	-	No
C. O'Bannon	-	Yes

Motion carried.

Mr. Nunn indicated this case has brought up a very serious point where the basic concept of the Board members of what the licensing of Land Surveyors means. A word-study session to educate the Board and seek a direction of policy on this matter was suggested.

The Vice-chairman appointed a subcommittee for the purpose of study of Land Surveyors and the requirements for licensing with the members to serve as follows:

Hector Durand	-	Chairman
J. R. Nunn	-	Member
Wm. Gookin	-	Member

Mr. Durand spoke in behalf of Land Surveyors and the fact that in the total complaints received on the various disciplines licensed by the Board, Land Surveyors were in the smallest minority. Also, Mr. Durand indicated a study group mentioned above would be of great benefit in putting Land Surveying in the proper perspective as a profession, and clarifying the ambiguous wording of the Rule as it applies to the years of responsible experience required in the licensing of Land Surveyors.

(4) 79-106, MINICHIELLO, Thomas Joseph - Civil Engineer

Mr. Minichiello address the Board with the request the Board waive the examination requirement for Parts 3 and 4 of the CE exam.

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MOTION: It was moved by Ms. Finley and seconded by Mr. Durand that the Board temporarily recess so that an executive session may convene for the purpose of obtaining clarification on R. 32-126 from the Assistant Attorney General. Motion carried.

Temporary Recess 12:00 noon

EXECUTIVE SESSION:

Opinion of Assistant Attorney General:

It should not be incumbent upon the Board to prove competency before licensing of an applicant. Board function should center around enforcement of competency within the professions after registration is granted.

The Board reconvened into public session at 12:30 p.m.

MOTION: It was moved by Mr. Riggs and seconded by Mr. Gomez that Mr. Minichiello be held for Parts 3 & 4 of the CE exam.

The Vice-chairman called for a roll-call vote:

J. R. Nunn	-	Yes
H. Durand	-	No
P. Finley	-	No
R. Gomez	-	Yes
W. Gookin	-	Yes
J. Riggs	-	Yes

Motion carried.

(5) 80-483, BRITTAIN, Robert Dean, Civil Engineer

It was requested by Mr. Gomez that Mr. Brittain's file be reviewed by the Board to verify evaluation for possible registration at this time. (At this time Mr. Gomez absented himself from the meeting due to a possible conflict of interest.) After general discussion and review of Mr. Brittain's file and in view of the fact that Mr. Brittain passed the CE exam but will not have the statutory eight years experience until June 1981, motion was made as follows:

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MOTION: It was moved by Mr. Riggs and seconded by Mr. Durand that Mr. Brittain's license be held until June 1981, at which time he will be put on granted list to be certified at the June Board meeting. Motion carried.

(6) 77-118, FLEET, Fred E., Civil Engineer

In letter shown on Minute Book Page 4931, Mr. Fleet is requesting the Board waive Part 2 of the CE exam, as he has passed Parts 1, 3, & 4.

MOTION: It was moved by Mr. Riggs and seconded by Mr. Gomez that Mr. Fleet's request be denied and that he be required to pass Part 2 of the CE exam before license could be granted. Motion carried.

5. REGISTRATIONS DENIED (Shown on Page 4924 )

It was moved by Mr. Nunn and seconded by Mr. Gookin that applicants shown on Page 4924 be denied registration for the reasons cited and that their application files be closed. Motion carried.

6. REGISTRATIONS GRANTED (Shown on Pages 4922 - 4923.)

MOTION: It was moved by Mr. Durand and seconded by Mr. Riggs that applicants shown on Pages 4922 through 4933 be granted registration. Motion carried.

7. REPORT OF THE PUBLIC INFORMATION COMMITTEE (entire Board)

The Executive Director reported on the meeting with the public relations firm as ordered at the Board meeting of December 5.

The Executive Director met twice with the firm of Jennings & Thompson. They prepared a brief study which they wished to present to the Board with further audio visual material, and the matter was scheduled for the Board's Special Meeting of January 23, 1981. This meeting was cancelled when the Rules Committee extended the date of their report, and it has not been rescheduled at this time. The Jennings & Thompson outline is shown on Pages 4932 - 4938.



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In a related item the Board requested \$5,000 for a Public Information Consultant and additional sums for publication and postage in their supplemental and regular budget requests. The money was not recommended by the House Appropriation Committee for 1980-81 Budget when they forwarded the supplemental bill (H.B. 2023) to the Senate.

The report of the Executive Director was accepted by the Vice-chairman, and no action was taken on the matter at this time.

8. APPROPRIATION PROGRESS REPORT:

The following report was presented to the Board by the Executive Director:

H.B. 2023 - The House Bill, amended to the \$34,000 figure is scheduled for hearing by the Senate Appropriation Committee on Friday, March 13th.

With no consideration of FTE's in this bill, I would like to ask the senate to at least consider funding for the following items to be added to the recommendation:

1) Upgrade of Admin. Asst. from II to III	
2) Funds for Law Clerk -----	\$ 1,500.00
3) Additional funds for Investigator ----	4,000.00
4) Consultant to assist in setting up Public Information Program -----	2,500.00
5) Funding for lease/purchase of EDP/CRT terminal -----	3,000.00
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Total Additional Funds	\$ 11,000.00
H.B. 2023 -----	34,000.00
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	\$ 45,000.00

Discussion as follows:

Mr. Gookin expressed the opinion that the \$96,000 supplemental appropriation request is essential in order to carry on the work of a quality that was outlined in the Sunset Review Report. The Executive Director indicated there is no possibility the Legislature will consider expenditure for additional FTE's as part of the supplemental request. It was the Executive Director's opinion that the Board request an additional \$45,000 in the supplemental request.

MOTION: It was moved by Mr. Riggs and seconded by Mr. Finley that the request for supplemental appropriations be increased by \$8,500 to reflect the costs as outlined by the Executive Director and that the cost of \$3,500.00 for the Public Information Program be eliminated at this time. Motion carried.

9. 1981-82 APPROPRIATION REQUEST

The Executive Director presented the following report:

Neither house has acted on our request for 1981-82 appropriations.

The Senate Subcommittee met on January 16th to hear our requests; as previously reported, but has not "worked" the budget as of today.

The House Subcommittee met on March 3rd to hear our request. Because of continued interruption of my presentation, I followed up immediately on March 4th with a strong memo to all subcommittee members and met on March 5th for three hours with the JLBC Budget Analyst at the Committee request to try and get a firm recommendation from that staff. Previous JLBC and EBO staff recommendation was, "They can do all they want to do with the staff and budget they presently have." In my memo, I characterized this statement as "simplistic and unprofessional in view of our workload and legislative mandate." I am beginning to note that the ghosts of last year's Sunset Review are still haunting both the House and Senate.

The Vice-chairman responded to this report by requesting the Executive Director to again contact Senator Gutierrez and Senator Lindeman to recommunicate the Board's position on this matter.

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10. REPORT OF THE ENFORCEMENT COMMITTEE (entire Board)

- A. The Executive Director reported that with the addition to the staff of the Admin. Asst. III on March 2, 1981, work is now being undertaken by this staff member to compile a report concerning previous Enforcement Committee actions. It was the Executive Director's opinion that there are probably 12 items that are ready for subcommittee work, which means at least two full days of enforcement meeting time. An Enforcement Committee meeting will probably be ready for scheduling about the 1st week of April.

The Vice-chairman directed the Executive Director to schedule and Enforcement Committee meeting the Friday following the PE exams, April 17, 1981.

- B. C 0032-79 BTR vs Environmental Repair Services -  
Memo and Departmental Report shown on Pages 4940 - 4947.

MOTION: It was moved by Mr. Durand and seconded by Ms. Finley that on advice of Asst. Attorney General this file be closed. Motion carried.

- C. C 0025-80 BTR vs Arizona Hospital Association -  
Memo and Departmental Report shown on Pages 4943 - 4947.

MOTION: It was moved by Ms. Finley and seconded by Mr. Durand that upon recommendation of the Asst. Attorney General that there is insufficient evidence to warrant legal action against the Arizona Hospital Association and that there has not been sufficient representation by the Arizona Hospital Association to indicate it has been operating in the engineering profession, and that the complaint be dropped. As to the second complaint against the Arizona Hospital Association, a new file should be opened on this complaint and new procedure started in this matter. Motion carried.

Discussion: The Asst. Attorney General indicated the Board should communicate to the respondent that the information has been reviewed, and there is insufficient evidence to warrant a complaint at this time. Also, that on all complaint matters, a warning should precede any formal complaint to the respondent communicating the information that in the agency's view a violation has occurred, citing the specific Code. There must be a warning before there can be any legal action. The Asst. Attorney General also stated that cases involving fraud, injury, loss of life take first priority for prosecution, and suggested the agency concentrate on these matters first.

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In view of the Asst. Attorney General's opinion on this matter, the Vice-chairman directed the Executive Director to present to the Enforcement Committee at the April 18th meeting all cases on file which involve consumer fraud and incompetency. The Executive Director was further asked to prepare a list of all cases that have been presented to the Attorney General wherein it has been decided prosecution would be inadvisable.

The Executive Director advised the Board that of the 134 complaints now on file, about one half can be handled administratively.

10. REPORT OF THE EXECUTIVE DIRECTOR (Shown on Minute Pages )

The Executive Director emphasized the exhibits attached to this report display certain output from the new computer program, which reveals the necessity of the requested CRT terminal. The reports were explained to the Board and noted that with the redesign of our computer programs, a CRT terminal within the office is a necessity in keeping information updated.

A list of elderly waiver applications, requested by the Board at its December 5th meeting, was presented. The Executive Director stated this is an example of a specialized report that is generated from the new computer programming system. It was indicated that a total number of 489 names were on this list. Guidelines for Elderly Waiver were suggested as an addition to new Rules to be adopted as follows:

"Retired from active practice" means to be withdrawn from one's occupation; i.e.,

- 1) not maintaining a place of business
- 2) not actively seeking new commissions or part-time employment in a place of business
- 3) The above conditions apply irrespective of the place of residence (i.e., a registrant retired from business in Arizona, but still active in Florida, is not retired and does not qualify for the fee waiver

"Attained the age of sixty-five years" means 65 years of age prior to the registrant's license expiration date.

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MOTION: It was moved by Mr. Nunn and seconded by Mr. Gookin that the above-stated guidelines for elderly waiver of registration be adopted as Rules and incorporated in the rule package previously set for public hearing in April.

MOTION TO AMEND: It was moved by Ms. Finley and seconded by Mr. Gookin that the above motion be amended to include that gross income from professional services shall not exceed \$5,000. Amendment carries.

Motion carried.

MOTION: It was moved by Mr. Durand and seconded by Mr. Nunn that the renewal fee be waived for the names included on the list of elderly waiver applications as submitted by the Executive Director.

A roll-call vote was requested by the Vice-chairman, as follows:

J. R. Nunn	-	Yes
H. C. Durand	-	Yes
P. Finley	-	Yes
R. Gomez	-	No
W. Gookin	-	No
J. Riggs	-	No
C. O'Bannon	-	No

Discussion: The Asst. Attorney General suggested restructuring the proposed rule on elderly waiver of registration that a registrant is considered retired from active practice if practice for compensation is no longer undertaken, professional services are no longer solicited, and the \$5,000 gross income per year for these services be eliminated.

The Vice-chairman suggested the matter of elderly waiver of registration be tabled as moved by Mr. Durand and that the original motion be approved without the \$5,000 limit on gross income.

The Vice-chairman called for a roll-call vote, as follows:

J. R. Nunn	-	Yes
H.C. Durand	-	Yes
P. Finley	-	Yes
R. Gomez	-	Yes
W. Gookin	-	Yes
J. Riggs	-	Yes



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The Vice-chairman suggested that when the list of elderly waiver of registration is granted, when the registrants are notified, that the new Rules adopted by the Board be included in the notification and if waiver of registration is applied for, it should be on the basis of the new Rules.

MOTION: It was moved by Mr. Nunn and seconded by Mr. Gookin that the original motion be recalled from the table. Motion carried.

The Vice-chairman called for a vote on the motion proposed by Mr. Durand and seconded by Mr. Nunn. Motion carried.

The Vice-chairman directed the Executive Director to send notification to those whose names appeared on the list of elderly waiver applications along with the new Rule.

11. READING OF COMMUNICATIONS

- A. Letter, Arizona Section AIPG dated February 18, 1981, addressing much substantive consideration of our problems in the geology field. We are working with this Advisory Committee now in review of the geology examinations. We hope to have a new geology examination for October '81 exams, but process is moving rather slowly. This letter is first step. (See Minute Book Pages 4958 -4965.

MOTION: Mr. Gookin moved and Ms. Finley seconded the motion that Hydrology be stricken from Parts 1 & 2 of the Geology Exam. Motion carried.

Mr. Gookin gave his reason for proposing the motion: that in his opinion, in order to be a Hydrologist an applicant should pass the Geology Exam.

MOTION: It was moved by Mr. Riggs and seconded by Ms. Finley, after considerable discussion of the previous motion that it be stricken. Motion carried with Mr. Gookin requesting his no vote be so recorded.

MOTION: It was moved by Mr. Gookin and seconded by Mr. Riggs that a letter be written to the American Institute of Professional Geologists in response to their communication of February 18, 1981, that this was a matter of concern to some members of the Board. Motion carried.

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- B. Department of Administration, Personnel Division - Memo, dated February 23, 1981, regarding new rules for use of volunteers. (Minute Book Page 4966 )

The Executive Director asked for an opinion from the Asst. Attorney General on this matter.

The Asst. Attorney General advised the personnel Division may request approval of volunteers.

12. NEW BUSINESS

- A. Asst. Attorney General, Gary Sheets, requested permission of the Board to retain a Law Clerk to assist in preparation of the Board's Rules, during the summer, at approximately \$6.00/hr. The total cost will depend on what the Board has to spend. The time required will probably be for three months in the summer.

The Executive Director indicated a bill has been received from the previous law clerk, who worked on Rule changes during the Christmas Holidays, in the amount of \$177. All funds in this year's budget for this purpose have been used as our professional and outside services.

MOTION: It was moved by Mr. Riggs and seconded by Mr. Durand that if the supplemental appropriation is passed authorization be given to Mr. Sheets to hire a law clerk for \$6.00/hr. Motion carried.

MOTION: It was moved by Mr. Gomez and seconded by Mr. Riggs that the maximum amount payable to the law clerk should be \$3,500. Motion carried.

- B. Out of State Meetings:

- 1) NCEE Western Zone Meeting - Salt Lake City, Utah, May 3 - 5, 1981, Hotel Utah. Flyer shown on Minute Book Pages 4971 - 4973.

MOTION: It was moved by Mr. Nunn and seconded by Mr. Riggs that the Executive Director and Hector Durand be authorized to attend this meeting along with Mr. Gomez. Motion carried.

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13. FUTURE DATES

- A. 1. April 3, 1981 (Friday) a.m. Public Hearing on Rule changes. Location to be determined
2. April 18, 1981 (Friday) a.m. Enforcement Committee Meeting - Board Office
3. May 3-5, 1981 - NCEE Western Zone Meeting - Salt Lake City, UT
4. June 5, 1981 - Regular Board Meeting  
9:00 a.m. - Board Office

14. (Future Dates - Cont'd)

- B. Evaluation Sessions:  
The Code exams will be rewritten so it may be used for an open-book examination. There are a number of suggestions that will be undertaken on this. The Executive Director requested Board approval of the material be granted by correspondence. The Board gave unanimous verbal approval.

15. OLD BUSINESS

- A. Mr. Gookin announced the Engineering Advisory Committee met February 26th. Mr. William J. Kilcullen was elected permanent Chairman, and the committee is now ready to serve the Board. It was suggested by Mr. Gookin that this committee be kept advised of the status of legislation so they may act accordingly.
- B. The Vice-chairman authorized the Chairman and Executive Director arrange an appointment with ASU Vice-President Penick regarding stadium failure for briefing on the situation and report back to the Board.

16. A. Addendum to Agenda:

74-669, HAINES, Robert - Electrical Engineer

(Letter is shown on Minute Book Pages 4976 - 4977.)

Mr. Haines, in his correspondence, requested an opportunity to address the Board regarding his application; however, he did not appear.

MOTION: It was moved by Ms. Finley and seconded by Mr. Riggs that on advise of Board counsel, Mr. Haines be denied waiver of Part 1 of the Fundamental exam.

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16. B. ADDITIONAL ENGINEERS DESIRING CERTIFICATION TO TAKE APRIL EXAMINATIONS

(See Minute Book Page 4978 .)

MOTION: It was moved by Mr. Gomez and seconded by Mr. Gookin that the 14 individuals named on this list be held for the parts of the exam as shown. Motion carried.

C. 79-483 - HUTSON, Ronald Charles, Civil Engineer  
(Letter shown on Minute Book Pages 4979 .)

Mr. Hutson requested a personal appearance before the Board asking for waiver of Parts 1 and 2 of the CE exam; however, he did not appear.

MOTION: It was moved by Ms. Finley and seconded by Mr. Riggs that Mr. Hutson be held for Parts 1 and 2 of the CE exam. Motion carried.

D. 80-145 - JOHNSON, Fred Maynard, Geologist  
(Referred from December Board meeting)  
(See Minute Book Pages 4981 - 4981A)

Mr. Johnson is requesting the Board waive his being held for Parts 3 and 4 of the Geology Exam and that he be granted registration.

MOTION: It was moved by Mr. Nunn and seconded by Mr. Durand that in view of the fact that Delaware's registration requirements are similar to Arizona statutes on registration and that Mr. Johnson holds certification of AIPG, National accrediting group in Geology, and a graduate of an accredited university with a B.A. in Geology, that he be granted registration. Motion carried with Messrs Gookin and O'Bannon casting "no" votes.

17. FINANCIAL REPORT (See Minute Book Pages 4982 - 4986 .)

The Executive Director presented the Financial Report and reviewed the report column by column, explaining the need the agency had for the Supplement Appropriation funds.

Board Meeting Minutes  
March 6, 1981

The Asst. Attorney General brought out to the Board the importance of the prospective Law Clerk to be hired being furnished with a list of priorities as far as what issues need to be addressed; i.e., licensing requirements; standards, a ranking of the issues the law clerk should address in drafting the rules. This should be forwarded to Mr. Sheets and he will see the law clerk gets it. The law clerk will probably report for duty on May 15th.

MOTION FOR ADJOURNMENT:

MOTION: It was moved by Mr. Riggs and seconded by Ms. Finley that the meeting be adjourned.

Adjournment: 2:30 p.m.





State of Arizona  
BOARD OF TECHNICAL REGISTRATION

04909

FOR ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, LANDSCAPE ARCHITECTS AND LAND SURVEYORS  
1645 W. JEFFERSON, SUITE 315 • PHOENIX, ARIZONA 85007 • (602) 255-4053

February 24, 1981

MEMORANDUM

TO: R. A. Jimenez, Ph.D., P.E.

FROM: F. Mark Edson  
Executive Director

SUBJECT: Engineering Examination - Cutoff Scores  
EIT & Principals and Practice Examinations

The Engineering Examination Committee has asked me to express their concern regarding cutoff scores which represent less than 60% of total possible raw score points in any of NCEE's examinations and ask that you relate this concern to the National Examination Committee.

I believe they understand how the passing level was determined, but their concern is that the levels are based on examination performance of the total class and thus may result in an inordinately low level of passing proficiency when total performance is poor. Your comments would be appreciated.

FME:pw

11/16/79

## PROFESSIONALISM AND ETHICS SPECIAL AD HOC COMMITTEE

### PREAMBLE

This Committee was issued seven charges by the President, which have been recognized and acted upon. The principal charge related to developing a consensus code that would not be in conflict with federal or state laws and be of interest and assistance to Member Boards in promoting uniformity and comity. In order to accomplish this objective the Committee collected and evaluated existing professional and technical societies' codes of conduct that were thought to reasonably protect the interest and welfare of the public. In addition to these codes, Member Board codes and NCEE's former Model Rules of Professional Conduct were the Committee's source data in developing a consensus code.

The Committee's work during the fall and winter months was conducted by correspondence and by telephone. By mid-January a new NCEE code of conduct was prepared in draft form. At a meeting held February 17-18, in Scottsdale, Arizona, the Committee reviewed the codes collected, its draft code, and prepared NCEE's Proposed 1979 code, "Guidelines for Rules of Professional Conduct". The Committee's proposed new NCEE code is included under Charge 4 in the body of this report.

The Committee was well represented in Scottsdale by educators, industry, consultants and government. One of its members was a practicing attorney and his legal expertise was most helpful. Also in attendance was Professor of Philosophy Martha Montgomery, Chairperson, Department of Humanities and Communications, Drexel University. Because of her background and interest in professional ethics, she was invited to participate. Her contributions were evident and appreciated.

### HISTORICAL BACKGROUND

Canons of Ethics for the profession of engineering have been promulgated since the 1930's through the Engineers' Council for Professional Development (ECPD), of which the National Council of State Boards of Engineering Examiners (NCSBEE) was a Charter Member in 1932.

A number of the societies participating in ECPD, including NCEE, have adopted individual Codes of Ethics under various titles, but closely related to the ECPD Canons. ECPD has maintained a standing Committee on Ethics for the engineering profession and desirable modifications of the Canons have been made from time to time.

Perhaps the most significant changes in viewpoint about Codes of Ethics have occurred in recent years during which policies concerning competitive bidding, advertising and supplanting another professional have been under intense review.

A number of committees of NCEE have dealt with the matter of ethics and professional conduct. NCEE has regularly been represented on the ECPD Ethics Committee.

surveyors, NCEE adopted "Model Rules of Professional Conduct". In 1977 these "Rules" were rescinded. Since that time a complete review of the Model Rules has been made and each Rule has been evaluated in respect to the dominant criterion, "the safeguarding of life, health, property and the general welfare of the public". As a result of this experience, an up-dated document entitled "Guidelines for Rules of Professional Conduct" is presented in response to Charge 4 for reference use by members of NCEE.

Charge 1. Present status of professionalism and ethics among licensed engineers.

There is a growing awareness in the profession of engineering of the need to re-examine the basic concepts and principles of professionalism. Ethics has long been one of the basic matters which distinguish professionals from other members of society. Generally speaking, the public is questioning the commitment of professionals to the public's interest. Individual cases of greed, overreaching and even criminal conduct together with the seeming inability of the "professions" to cope with these problems reinforces the public concern. Codes of Ethics, historically, have contained broad general principles, without specific direction. And, far too much of these codes addressed matters related to interaction between professionals rather than interaction with the public. More recently, attention has focused on the public welfare and attempts have been made to be more specific. However, in many cases, these more specific rules have been appended to the existing Code of Ethics resulting in a hodge podge. It is the opinion of this Committee that the engineers in the profession want and need to reaffirm their dedication to the public welfare and to re-examine their Codes of Ethics so that these principles which state their professional commitment and the Rules which limit their personal and corporate interests are stated in clear and unambiguous language.

It is the belief of the Committee that the public views the registrant as the professional involved in a leadership position, and as such relies on the registered professional to advance and protect the health, safety, welfare and property of the public. The Committee's studies revealed that all national, technical and professional engineering and land surveying societies and organizations have a Code of Ethics or Conduct in the United States. The NCEE is recognized as one of the major national engineering organizations in this country, and by other countries. The NCEE is charged to assist Member Boards. Member Boards are accountable to the public for the conduct of its licensees. Therefore, the NCEE has an obligation to develop and have available for use and reference by Member Boards a consensus code.

Charge 2. Collect such Codes of Conduct or Ethics, Rules of Professional Conduct, and similar documents as may now be in effect in Member Boards of the several states.

The Committee requested that each Member Board send copies of their Codes of Ethics and/or Rules of Professional Conduct. The Committee is confident that the results will be excellent and

In response to this Charge, the Committee determined that 38 of the 55 jurisdictions of NCEE had adopted a Code of Ethics or Rules of Conduct. The Committee's first concern was the level of acceptance of the former NCEE Rules of Professional Conduct adopted in 1974. Each separate provision was studied separately and it was determined that 25 of the 38 jurisdictions had adopted the NCEE Rules in whole or in part. The Committee felt this was strong support of the former NCEE Rules. Only 4 of the NCEE Rules were adopted by less than half of the 38 jurisdictions (Rules 5, 14, 15 and 21).

Charge 3. Consider and evaluate these and any other such Codes or Rules that are thought to reasonably protect the public interest and be of assistance to all State Boards.

The following existing codes reasonably protect the interests and welfare of the public and were collected and evaluated.

Founder Societies:

- ASCE - American Society of Civil Engineers
- ASME - American Society of Mechanical Engineers
- IEEE - Institute of Electrical and Electronics Engineers
- AIChE - American Institute of Chemical Engineers

Other Major Societies:

- ECPD - Engineers' Council for Professional Development
- NSPE - National Society of Professional Engineers
- ACEC - American Consulting Engineers Council
- NCARB - National Council of Architectural Registration Boards
- AIA - American Institute of Architects

All of the above-listed codes, Member Board codes and NCEE's former code contributed to the formation of a consensus code, Charge 4. Studies revealed that the ASCE, ECPD and the ACEC codes were very similar in format and language, and prepared within the past five years. The language of the former NCEE Model Rules of Professional Conduct was found to be similar to ASCE, ECPD and ACEC. Because of the similarity between these codes a synoptic comparison of their rules was prepared for study purposes. The philosophy behind the formation of NCARB's Rules of Conduct, adopted in 1977, also influenced the Committee. Finally, the codes of Maryland and New York were taken into consideration because of some important recent changes made in these codes. The NCEE Proposed 1979 Code, Charge 4, reflects the results of this study.

RECOMMENDATIONS

As a result of the foregoing consideration and evaluation, the Committee recommends the adoption of the revised "Guidelines for Rules of Professional Conduct" as set forth in Charge 4.

Charge 4. Develop such consensus Codes or Rules that are thought to be of interest and assistance to the Member Boards in promoting uniformity and comity, and that are determined by legal counsel not to be in conflict with federal or state laws.

ASSUMPTIONS AND CRITERIA

It was the belief of the Committee that a professional code of conduct should establish publicly certain approved standards of practice, to give support to the well-intentioned registrant, and to discourage those who would disregard those approved standards. They should not unfairly burden the registrant with standards of conduct which are unreasonable to expect or enforce. A code of ethics, if it is to accomplish anything, must restrict itself to that which is reasonably possible. The objective of the new NCEE code should be to protect the public, client and employer from misrepresentation, fraud, deceit and incompetence by registrants.

The new NCEE code "Guidelines for Rules of Professional Conduct" should set out areas of behavior that are not in conflict with federal laws and, to the extent possible, defensible in the court of law for which registrants violating any one of the rules could be subject to disciplinary action - - - such as, reprimand, suspension or revocation of registration by their State Board. They should be reasonably "hard-edged" rules intended to command compliance or threaten sanctions. All rules adopted are worded "Registrants shall" except three.

Many technical and professional societies' codes include gentlemanly conduct statements. These professional obligation statements are good. However, the NCEE proposed code of conduct does not speak to the interactions of the practicing professionals. For example, the proposed code does not stress the advancement of the profession, its reputation and the honor, dignity, honesty, impartiality and modesty of the registrants. As good as these obligations may be, they do not speak to our primary purpose and objective, which is the welfare, interest and protection of the public, client and employer.

The Federal antitrust law forbids agreements among private parties that limit competition. Their recent rulings have caused the professional societies to review their codes and delete rules that relate to recommending minimum fees, prohibiting competitive bidding and fee advertisement. NCEE's proposed new code does not suppress or restrict activities which tend to create a monopoly or restraint of trade in interstate commerce.

The former NCEE Model Rules consisted of three Chapters - Chapter I Engineers, Chapter II Land Surveyors and Chapter III Engineers and Land Surveyors. In lieu of having three separate codes (Chapters) the Committee recommends one code and has used the word "Registrants" throughout the proposed code.

The former code did not list fundamental canons. The Committee believes that establishing certain fundamental canons and then building rules around these canons would be a more logical and systematic approach toward developing a consensus code for use by Member Registrants I through V. The NCEE's proposed code are very similar to the former code.

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The former NCEE code was written exclusively in the male gender. The language in the proposed code is neutral and implies either male or female.

Since the former NCEE code has been adopted in whole or in part by 25 of the Member Boards, it was the opinion of the Committee that the former code should be the Committee's base with the development of NCEE's proposed 1979 code.

## NCEE MODEL RULES OF PROFESSIONAL CONDUCT

August 1979

### Preamble

In order to safeguard, life, health and property, to promote the public welfare, and to establish and maintain a high standard of integrity and practice, the following Rules of Professional Conduct shall be binding on every person holding a certificate of registration and on all partnerships or corporations or other legal entities authorized to offer or perform engineering or land surveying services in this state.

The Rules of Professional Conduct as promulgated herein are an exercise of the police power vested in the Board by virtue of the acts of the legislature.

All persons registered under (identify State Registration Law) are charged with having knowledge of the existence of these Rules of Professional Conduct, and shall be deemed to be familiar with their provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering and land surveying is a privilege, as opposed to a right.

In these Rules of Professional Conduct, the word "registrant" shall mean any person holding a license or certificate issued by this Board.

### FUNDAMENTAL CANONS

Registrants, in the fulfillment of their professional duties, shall:

- I. Hold paramount the safety, health and welfare of the public in the performance of their professional duties.
- II. Perform services only in the areas of their competence.
- III. Issue public statements only in an objective and truthful manner.
- IV. Act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.
- V. Avoid improper solicitation of professional employment.



14913  
Registrants shall hold paramount the safety, health and welfare of the public in the performance of their professional duties.

- a. Registrants shall at all times recognize that their primary obligation is to protect the safety, health, property and welfare of the public. If their professional judgment is overruled under circumstances where the safety, health, property or welfare of the public are endangered, they shall notify their employer or client and such other authority as may be appropriate.
- b. Registrants shall approve and seal only those design documents and surveys which are safe for public health, property and welfare in conformity with accepted engineering and land surveying standards.
- c. Registrants shall not reveal facts, data or information obtained in a professional capacity without the prior consent of the client, or employer except as authorized or required by law.
- d. Registrants shall not permit the use of their name or firm name nor associate in business ventures with any person or firm which they have reason to believe is engaging in fraudulent or dishonest business or professional practices.
- e. Registrants having knowledge of any alleged violation of any of these rules of professional conduct, shall cooperate with the Board in furnishing such information or assistance as may be required.

II. Registrants shall perform services only in the areas of their competence.

- a. Registrants shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or land surveying involved.
- b. Registrants shall not affix their signatures or seals to any plans or documents dealing with subject matter in which they lack competence, nor to any such plan or document not prepared under their direction and control.
- c. Registrants may accept an assignment outside of their fields of competence to the extent that their services are restricted to those phases of the project in which they are qualified, and to the extent that they are satisfied that all other phases of such project will be performed by registered or otherwise qualified associates, consultants, or employees, in which case they may then sign and seal the documents for the total project.

- d. In the event a question arises as to the competence of a registrant in a specific technical field which cannot be otherwise resolved to the State Board's satisfaction; the State Board, either upon request of the registrant or on its own volition, shall admit the registrant to an appropriate examination.

III. Registrants shall issue public statements only in an objective and truthful manner.

- a. Registrants shall be objective and truthful in professional reports, statements or testimony. They shall include all relevant and pertinent information in such reports, statements or testimony.
- b. Registrants may express publicly a professional opinion on technical subjects only when that opinion is founded upon adequate knowledge of the facts and competence in the subject matter.
- c. Registrants shall issue no statements, criticisms or arguments on technical matters which are inspired or paid for by interested parties, unless the registrants have prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking, and by revealing the existence of any interest the registrants may have in the matter.

IV. Registrants shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

- a. Registrants shall disclose all known or potential conflicts of interest to their employers or clients by promptly informing them of any business association, interest, or other circumstances which could influence their judgement or the quality of their services.
- b. Registrants shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties.
- c. Registrants shall not solicit or accept financial or other valuable consideration, directly or indirectly, from contractors, their agents, or other parties in connection with work for employers or clients for which the registrant is responsible.
- d. Registrants in public service as members, advisors or employees of a governmental body or department shall not participate in decisions with respect to professional services solicited or provided by them or their organizations.



- e. Registrants shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member, except upon public disclosure of all pertinent facts and circumstances and consent of appropriate public authority.

V. Registrants shall avoid improper solicitation of professional employment.

- a. Registrants shall not falsify or permit misrepresentation of their, or their associates', academic or professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or past accomplishments with the intent and purpose of enhancing their qualifications and their work.
- b. Registrants shall not offer, give, solicit or receive, either directly or indirectly, any commission, or gift, or other valuable consideration in order to secure work, and shall not make any political contribution in an amount intended to influence the award of a contract by public authority, but which may be reasonably construed by the public of having the effect or intent to influence the award of a contract.

...the above documents available to State Member Boards.

The material gathered by the Committee will be delivered to the National Headquarters and it is recommended that these records be filed and made available for reference.

- Charge 6. Recommendations as to whether this committee should be continued or have its charge transferred to a standing committee such as the ECPD or Uniform Procedures and Legislative Guidelines Committee.

The Professionalism and Ethics Ad Hoc Committee recommends that the committee report be referred to the NCEE Board of Directors for whatever action they deem appropriate. If the Directors decide to present the Guidelines to the annual meeting, the Committee is to remain active to assist in dispensing as much information as possible to all concerned.

The Ad Hoc Committee unanimously recommends the adoption of Uniform Guidelines for Rules of Professional Conduct. Each Member Board may, as they have in the past, accept or reject any part of the Guidelines.

Following action by the National Council, it is recommended that the Ad Hoc Committee be discharged. It is further recommended that the Advisory Committee on Council Activities continue the monitoring of Guidelines or Codes of Conduct and when modifications or adoptions appear to be eminent or essential, the above Committee shall inform the President of NCEE.

The President will then decide what procedure to follow, placing emphasis on assigning the task to a standing committee; i. e., ECPD or Uniform Procedures and Legislative Guidelines.

- Charge 7. By prior approval of the Board of Directors, undertake any other task commensurate with the objectives and purposes of the committee and the National Council.

It came to the attention of the Committee during March following the submission of the Committee's proposed 1979 code of conduct to the NCEE Board that a Joint Society Ethics Review Task Force had been established for the purpose of exploring and developing a common code of ethics for use by all engineering societies, profession-wide. This Task Force consisted of representatives from technical and professional societies.

The Task Force, upon learning of the Committee's activities in developing a new NCEE code of ethics, invited the NCEE to participate at a meeting on April 10, to explore the possibility of establishing a common code. The President authorized the Chairman to attend this meeting at NSPE headquarters in Washington D. C. The Chairman learned that the Task Force would like to establish four basic parts with their proposed Model Code of Ethics as follows:

- Part One: Fundamental Principles  
Part Two: Fundamental Canons

TO: Board of Technical Registration  
 FROM: Architectural Evaluation Committee  
 SUBJECT: Evaluation of Applicants

The Architectural Evaluation Committee met on January 9 and January 15, February 12 and 13, 1981 in Phoenix, Arizona with the following members present:

January 9	John Riggs, Hector Durand
January 15	Jimmie Nunn, Charles O'Bannon
February 12	Jimmie Nunn, Charles O'Bannon
February 13	John Riggs, Rod Gomez, Hector Durand

There being a quorum present at all times, the committee held personal audience interviews and considered other items of Board business and makes recommendation to the Board as indicated.

- The following applicants having appeared before the committee and satisfied the committee that they are fully qualified (including the treatise on seismic forces) to receive architectural registration in Arizona under A.R.S. 32-123.A and A.R.S. 32-126, are hereby recommended for registration:

Armstrong, Richard	80-757	McClellan, Robert Romaine	80-539
Baker, Carl Gene	80-660	McClernon, Patrick L.	80-778
Belrose, Albert Richard	80-515	McGee, Gordon R.	80-781
Bergmann, Richard	80-705	McQuead, Robert Alan	80-747
Black, Edward P.	80-756	Marnell, Anthony A. II	80-737
Cavender, Jack Edmond	80-779	Metcalf, Leonard C. Jr.	80-823
Crosby, Donald Alton	81-012	Pepper, Lawrence W.	80-803
Crump, Charles Metcalf Jr.	80-773	Rachlin, Michael Scot	79-771
de Bry, Mark Robison	80-838	Rothenberg, Mark A.	80-783
Fraley, Jean Winston	80-710	Schluntz, Roger L.	81-045
Guy, Carlisele B.	80-758	Scott, William Gordon	80-853
Hawley, William Ray	80-864	Sexton, William E.	80-733
Hoffman, David Llewellyn	80-754	Silman, Larry Ronald	80-850
Howard, Ernest P.	81-003	Skog, Jeffrey Allen	80-707
Johnson, Thomas Arthur	80-659	Smith, Michael L.	80-824
Jorgensen, Alan W.	80-755	Stacy, Richard J.	81-010
Karp, Lawrence Blum	81-054	Turner, Clifford Gale	81-033
		Vincent, Robert Jerrald	80-709

2. The following applicants, having appeared before the committee for a personal audience interview, need demonstration of additional evidence of their proficiency (A.R.S. 32-123. B), and it is recommended to the Board that these individuals be held for written examinations in June 1981 and December 1981:

Baird, Stuart M.	80-785	Prof. Exam/Sect. A
Berhalter, Dennis James	80-708	Prof. Exam/Sect. A & B
Bhalla, Vijay	80-735	Prof. Exam/Sect. B
Hammervold, Robert J.	80-753	Prof. Exam/Sect. A
Mansur, Charles Thom	80-782	Prof. Exam/Sect. B
Nolen, Richard Kidwell	80-351	Prof. Exam/Sect. A
Reuter, Thomas Eugene	80-286	Prof. Exam/Sect. A
Wade, Bruce W.	80-620	Prof. Exam/Sect. A

1. The following applicants, having appeared before the committee and having satisfied the committee that they are fully qualified to receive registration in Arizona under A.R.S. 32-123.A and A.R.S. 32-123. B, are hereby recommended for registration:

Ellison, John Joseph	80-302
Emmerson, Robert	80-362
Farrington, Joseph A.	80-051

2. The following applicants, having appeared before the committee for a personal audience interview, need demonstration of additional evidence of their proficiency (A.R.S. 32-123. B), and it is recommended to the Board that these individuals be held for examinations as indicated:

Barry, Gordon B.	80-713	Parts A, B, C, D
Winnery, Carl Carl	80-883	Parts A, B, C, D

TO: State Board of Technical Registration  
 FROM: Landscape Architectural Evaluation Committee  
 SUBJECT: Evaluation of Applicants

The Landscape Architectural Evaluation Committee met January 16 and February 6, 1981 in Phoenix, Arizona with the following members present:

January 16 William Gookin, Patricia Finley, Wayne Earley  
 February 6 William Gookin, Patricia Finley, Wayne Earley

There being a quorum present at all times, the Committee reviewed the following applicants and makes to the Board the recommendations shown regarding registration in Arizona.

1. The following applicants, having appeared before the Committee and having satisfied the Committee that they are fully qualified to receive registration in Arizona under ARS 32-123.A and ARS 32-126, are hereby recommended for registration:

Gilmore, John Joseph	80-802
Ramsaier, Herbert	80-852
Varonin, Joseph A.	80-851

2. The following applicants, having appeared before the Committee for a personal audience interview, need demonstration of additional evidence of their proficiency (A.R.S. 32-123.B), and it is recommended to the Board that these individuals be held for examinations as indicated:

Darby, Gordon H.	80-711	Parts A,B,C,D
Winfrey, Boyd Carl	80-801	Parts A,B,C,D

TO: State Board of Technical Registration  
 FROM: Engineering Evaluation Committee  
 SUBJECT: Evaluation of Applicants

The Engineering Evaluation Committee met January 9, 15 & 16 and February 6, 12 and 13, 1981 in Phoenix, Arizona with the following members present:

January 9	John Riggs, Hector Durand
January 15	Charles O'Bannon, Jimmie Nunn
January 16	William Gookin, Patricia Finley, Wayne Earley
February 6	Wayne Earley, William Gookin, Patricia Finley
February 12	Charles O'Bannon, Jimmie Nunn
February 13	Rod Gomez, John Riggs, Hector Durand

There being a quorum present at all times, the Committee reviewed the following applicants and makes to the Board the recommendations shown regarding registration in Arizona.

1. The following applicants, having appeared before the Committee and having satisfied the Committee that they are fully qualified to receive registration in Arizona under A.R.S. 32-123.A and A.R.S. 32-126, are hereby recommended for registration:

CIVIL ENGINEERING

Ambrose, Wallace A.	80-764
Armstrong, Edward A.	80-651
Askari, Shahan	80-730
Ault, Sterling Edwin	81-081
Babich, Lawrence Joel	80-765
Bastian, Gerald Melvin	80-760
Beamish, Robert	80-743
Boenzi, John Salvatore	80-303
Capell, Harry Thomas	80-729
Cunliffe-Owen, Roger S.	80-555
Everitt, Robert Newton	80-584
Gatlin, Dale Roland	80-767
Gellhaus, Ernest Harlan	80-788
Gunn, Gary Yows	80-482
Hampshire, Robert Mason	80-739
Jones, Walter Vern	80-342
Jordan, Frederick E.	80-307
Knickerbocker, Kenneth	80-812
Koester, Edward Fred	80-597
Lane, Jack Michael	80-762
Lee, George Chia-Yuan	80-507
Lewis, Lionel Calvin	80-545

CIVIL ENGINEERING-Cont'd

Long, Thomas Auburn Jr.	80-740
Lord, Joseph M. Jr.	80-669
McAdoo, David Lee	81-047
McCune, James	80-831
McDermid, Ramsay Michael	80-761
Magelli, Stephen Mark	80-763
Nasland, Don	80-789
Nielsen, Arthur Thomas	80-438
Panganiban, Ramsedel R.	80-667
Robinson, John Hamilton	80-722
Scott, Julius Norman	80-311
Simons, Daryl Baldwin	80-811
Smith, George Alwin	80-474
Stevens, James Roger	80-810
Stillman, Frank Cook	80-487
Teter, Glen D.	80-832
Tetreault, Emil Albert	80-444
Vidal, Juan Alonso	80-700
Vincent, Harry Gene	80-689
Waddoups, Arnold Arlo	80-523
Weber, Allen Louis	80-791
Weber, Charles Edward	80-828
Wilson, John Paul	80-866

ELECTRICAL ENGINEERING

Barrett, Gene Richard  
 Bartlett, Robert Wayne  
 Bryne, Patrick Stanley  
 Cheney, David William  
 Cohn, Nathan  
 Hunter, James Lee  
 Logsdon, James L.  
 Moodie, Thomas W.  
 Reading, William H. III  
 Roseen, Eric Craig  
 Ryan, William J. Jr.  
 Smith, Leonard Clayton  
 Sutherland, William Thomas

MECHANICAL ENGINEERING

Barnett, R. Colin  
 Beckett, Melvin Dean  
 Blythe, Michael E.  
 Bonebrake, Case Artman  
 Camara, Richard W.  
 Culwell, Gerald Patrick  
 Fairman, George Lewis  
 Franek, George John  
 Krapek, Anton  
 McCarthy, Roger Lee  
 McKee, Jack C.  
 Mukerjee, Sachin Nath  
 Peterson, Ronald Leigh  
 Stalker, Lee F.  
 Werhane, John Albert  
 Zigas, Arthur L.

MINING ENGINEERING

Jucevic, Edward P. Jr.  
 King, Daryl Keith  
 O'Donovan, James D.

SANITARY ENGINEERING

Brueck, Terrance M.  
 Hollingsworth, John Joseph

STRUCTURAL ENGINEERING

Hsieh, Wei Siang  
 Jack, Donald Stanley  
 LaTona, Raymond Wilbar  
 Vieley, Larry Lee

GEOLOGIST

Dapples, Edward Charles

ENGINEERING-IN-TRAINING

Brady, Gary G.  
 Brewer, Roger Allyn  
 Ginsburg, Claude William  
 Lovejoy, Michael Edwin  
 McCabe, John Van Dyke  
 Montes, Mario A.  
 Murphy, Peter M.  
 Neenan, Robert P.  
 Phillips, Timothy S.  
 Smith, Jeffrey C.  
 Smith, Timothy R.  
 Ward, Jeffrey Randle  
 Purdy, Dean L.  
 Scharrer, Carl John III  
 Rakow, Susan L.

80-770  
 80-624  
 80-458  
 80-466  
 80-493  
 80-718  
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 80-253  
 80-814  
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 79-883

80-792  
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 80-615  
 80-847

80-499

80-120  
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 78-178  
 79-211  
 80-050  
 80-012  
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 79-247  
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 79-256  
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 Parts 1, 2, 3, 4

Parts 1 & 2  
 Part 4  
 Part 4  
 Parts 1 & 2

Part 4  
 Parts 1, 2, 3, 4  
 Part 4  
 Part 4  
 Part 4  
 Part 4

Part 4  
 Part 1  
 Parts 1 & 4  
 Part 4



2. The following applicants, having appeared before the Committee for a personal audience interview, need demonstration of additional evidence of their proficiency (A.R.S. 32-123.B), and it is recommended to the Board that these individuals be held for examinations as indicated:

CIVIL ENGINEERING

Bortfeld, Robert James	80-806	Parts 3 & 4
Bowers, William Daniel	80-745	Parts 1,2,3,4
Buss, Robert Frederick	80-649	Parts 3 & 4
Carr, John William	80-860	Parts 3 & 4
Compton, Glenn Alan	80-807	Parts 3 & 4
Glidden, Roger Dale	80-564	Parts 1 & 2
Haas, Robert John	80-834	Parts 3 & 4
Lane, Thomas S.	80-714	Parts 3 & 4
Minichiello, Thomas	79-106	Parts 3 & 4
Munden, John Clarence	80-771	Parts 3 & 4
Shirvani-Kenareki, Grish	80-849	Parts 3 & 4

ELECTRICAL ENGINEERING

Bledsoe, Lloyd Duane	80-528	Parts 3 & 4
Bruan, Herman	80-839	Parts 3 & 4
Coleman, Alvin Travis	80-601	Parts 3 & 4
Cook, Harley E.	80-752	Parts 3 & 4
Fries, Robin J.	80-769	Parts 3 & 4
Jones, Francis Robert	80-570	Parts 3 & 4
Rast, Richard H.	80-751	Parts 3 & 4
Wright, Ronald S.	80-513	Parts 3 & 4

GEOLOGIST

Gordon, Arthur Jay	80-720	Parts 1,2,3,4
Means, Victor Albert Jr.	80-609	Parts 3 & 4
Pedone, Paul Frederic	80-799	Parts 1,2,3,4
Pryor, Michael	80-655	Parts 1,2,3,4

LAND SURVEYING

Barnard, Michael Arthur	80-517	Parts 1 & 2
Bickman, Richard T.	80-625	Part 4
Collins, Darryl Timothy	80-701	Part 4
Domler, Joseph Alphonse	80-721	Parts 1 & 2
Ewing, Ronald L.	80-813	Part 4
Fannin, Ronnie Lee	80-798	Parts 1,2,3,4
Glidden, Roger Dale	80-565	Part 4
Houston, William Dobyns	80-383	Part 4
Hornor, David Harold	80-529	Part 4
Lee, Ronald	80-683	Part 4
Kroeger, Allison L.	80-725	Part 4
Nasland, Don	80-790	Part 4
Nebrich, John Paul	80-541	Part 4
Taynton, Horace Mason	80-498	Parts 3 & 4
Wilson, John Norman	80-804	Part 4

MECHANICAL ENGINEERING

Avery, Ronald R.	80-562	Parts 1,2,3,4
Brosche, Mark E.	80-671	Parts 3 & 4
Breynton, Ronald Clyde	80-840	Parts 1,2,3,4
Fatina, Joseph James	79-549	Parts 3 & 4
Franzmeier, Robert William	80-558	Parts 3 & 4
Wurz, Richard	81-009	Parts 3 & 4

STRUCTURAL ENGINEERING

Campbell, John Melvyn	80-719	Parts 5 & 6
DiLeo, Andrew George	80-728	Parts 5 & 6
Hoffman, Mark Huber	80-795	Parts 5 & 6
Knudsen, Carl John	80-805	Parts 5 & 6
Piggott, Donald Edwin	80-827	Parts 5 & 6
Ruddy, John Lawrence	80-433	Parts 5 & 6
Sundaram, N. Shanmugha	80-614	Parts 5 & 6

3. The following applicants appeared before the Committee, and it was determined that their applications should be denied for lack of experience of a character satisfactory to the Board under A.R.S. 32-122.A, with a refund as shown:

Brugger, Norman Dale	80-825	\$10.00
Houtman, Joel Alan	80-666	\$10.00
Magelli, Stephen Mark	80-797	\$10.00

ELECTRICAL ENGINEERING

Barrett, Ross Richard	13602
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ARCHITECTURE

Armstrong, Richard C.	13577
Baker, Carl Gene	13578
Belrose, Albert Richard	13579
Bergmann, Richard	13580
Black, Edward P.	13581
Cavender, Jack Edmond	13582
Crosby, Donald Alton	13583
Crump, Charles Metcalf Jr.	13584
de Bry, Mark Robison	13585
Fraley, Jean Winston	13586
Guy, Carlisle B.	13587
Hawley, William Ray	13588
Hoffman, David Llewellyn	13589
Howard, Ernest P.	13590
Johnson, Thomas Arthur	13591
Jorgensen, Alan W.	13592
Karp, Lawrence Blum	13593
McClellan, Robert Romaine	13596
McClernon, Patrick L.	13597
McGee, Gordon R.	13598
McQuead, Robert Alan	13599
Marnell, Anthony A. II	13600
Metcalf, Leonard C. Jr.	13601
Pepper, Lawrence W.	13602
Rachlin, Michael Scot	13603
Rothenberg, Mark A.	13604
Schluntz, Roger L.	13605
Scott, William Gordon	13606
Sexton, William E.	13607
Sillman, Larry Ronald	13608
Skog, Jeffery Allen	13609
Smith, Michael L.	13610
Stacy, Richard J.	13611
Turner, Clifford Gale	13612
Vincent, Robert Jerrald	13613

LANDSCAPE ARCHITECTURE

Gilmore, John Joseph	13614
Ramsaier, Herbert	13615
Varonin, Joseph A.	13616

CIVIL ENGINEERING

Ambrose, Wallace A.	13617
Armstrong, Edward A.	13618
Askari, Shahan	13619

CIVIL ENGINEERING-Cont'd

Ault, Sterling Edwin	13620
Babich, Lawrence Joel	13621
Bastian, Gerald Melvin	13622
Beamish, Robert	13623
Boenzi, John Salvatore	13624
Capell, Harry Thomas	13625
Cunliffe-Owen, Roger Scott	13626
Everitt, Robert Newton	13627
Gatlin, Dale Roland	13628
Gellhaus, Ernest Harlan	13629
Gunn, Gary Yows	13630
Hampshire, Robert Mason	13631
Jones, Walter Vern	13632
Jordan, Frederick Edward	13633
Knickerbocker, Kenneth Louis	13634
Koester, Edward Fred	13635
Lane, Jack Michael	13636
Lee, George Chia-Yuan	13637
Lewis, Lionel Calvin	13638
Long, Thomas Auburn Jr.	13639
Lord, Joseph M. Jr.	13640
McAdoo, David Lee	13641
McCune, James	13642
McDermid, Ramsay Michael	13643
Magelli, Stephen Mark	13644
Nasland, Don	13645
Nielsen, Arthur Thomas	13646
Panganiban, Ramsedel R.	13647
Robinson, John Hamilton	13648
Scott, Julius Norman	13649
Simons, Daryl Baldwin	13650
Smith, George Alwin	13651
Stevens, James Roger	13652
Stillman, Frank Cook	13653
Teter, Glen D.	13654
Tetreault, Emil Albert	13655
Vidal, Juan Alonso	13656
Vincent, Harry Gene	13657
Waddoups, Arnold Arlo	13658
Weber, Allen Louis	13659
Weber, Charles Edward	13660
Wilson, John Paul	13661

ELECTRICAL ENGINEERING

Barrett, Gene Richard	13662
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ELECTRICAL ENGINEERING-Cont'd

Bartlett, Robert Wayne	13663
Byrne, Patrick Stanley	13664
Cheney, David William	13665
Cohn, Nathan	13666
Hunter, James Lee	13667
Logsdon, James L.	13668
Moodie, Thomas W.	13669
Reading, William H. III	13670
Roseen, Eric Craig	13671
Ryan, William J. Jr.	13672
Smith, Leonard Clayton	13673
Sutherland, William Thomas	13674

MECHANICAL ENGINEERING

Barnett, R. Colin	13675
Beckett, Melvin Dean	13676
Blythe, Michael E.	13677
Bonebrake, Case Artman	13678
Camara, Richard W.	13679
Culwell, Gerald Patrick	13680
Fairman, George Lewis	13681
Franek, George John	13682
Krapek, Anton	13683
McCarthy, Roger Lee	13684
McKee, Jack C.	13685
Mukerjee, Sachin Nath	13686
Peterson, Ronald Leigh	13687
Stalker, Lee F.	13688
Werhane, John Albert	13689
Zigas, Arthur L.	13690

MINING ENGINEERING

Jucevic, Edward P. Jr.	13691
King, Daryl Keith	13692
O'Donovan, James D.	13693

SANITARY ENGINEERING

Brueck, Terrance M.	13694
Hollingsworth, John Joseph	13695

STRUCTURAL ENGINEERING

Hsieh, Wei Siang	13696
Jack, Donald Stanley	13697
LaTona, Raymond Wilbar	13698
Vieley, Larry Lee	13594

GEOLOGIST

Dapples, Edward Charles	13595
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ENGINEER-IN-TRAINING

Brady, Gary G.	2352
Brewer, Roger Allyn	2353
Ginsburg, Claude William	2354
Lovejoy, Michael Edwin	2355
McCabe, John Van Dyke	2356
Montes, Mario A.	2357
Murphy, Peter M.	2358
Neena, Robert P.	2359
Phillips, Timothy S.	2360
Smith, Jeffry C.	2361
Smith, Timothy R.	2362
Scharrer, Carl John III	2363
Purdy, Dean L.	2364
Ward, Jeffrey Randle	2365
Rakow, Susan L.	2366
Moore, Daniel Wayne	2367

DENIALS

It was moved by Mr. Nunn and seconded by Mr. Gookin that the following applicants be denied with neither prejudice nor refund at their own request:

Barr, Alan R.	80-736	Architect
Cheng, Edmond	80-420	Civil Engineer
Conti, Salvatore V.	80-599	Structural Engineer
David, Norman Paul	80-821	Electrical Engineer
Dick, Ronald Eugene	80-172	Architect
Dierks, Daniel Richard	80-553	Architect
Houseman, Keith Arlen	80-319	Land Surveyor
Kurosaka, George Jr.	80-257	Civil Engineer
Laughlin, Robert John	80-686	Civil Engineer
Lawson, Patrick Donald	80-407	Architect
O'Gwynn, Cecil Holden Jr.	80-622	Electrical Engineer
White, Richard Friedrich	79-143	Engineer-in-Training

It was moved by Mr. Nunn and seconded by Mr. Gookin that the following applicants be denied for lack of experience of a character satisfactory to the Board under A.R.S. 32-122.A with a refund as shown:

Brugger, Norman Dale	80-825	\$10.00
Houtman, Joel Alan	80-666	\$10.00
Magelli, Stephen Mark	80-797	\$10.00

It was moved by Mr. Nunn and seconded by Mr. Gookin that the following applicants be denied for failure to complete the requirements of the Board within a reasonable length of time:

Blasko, Walter	79-543	Mechanical Engineer
Mellott, Gus	79-260	Mechanical Engineer
Meraz, Julio Cesar	77-401	Mechanical Engineer
Posch, Anthony G.	80-488	Civil Engineer
Rao, Sudhaker	80-154	Mechanical Engineer

Holds for Mar 6 1981

Copies for MR District

4440 W. Mitchell Dr.  
Phoenix, AZ. 85031  
22 Feb. 1981

04925

State of Arizona  
Board of Technical Registration  
1645 W. Jefferson St., Suite 315  
Phoenix, AZ. 85007

Re: Land Surveyor #80-491

Gentlemen:

It was my understanding, before the appropriate evaluation committee, during 13 February's personal audience, that I was summarily notified of initial Board action rejecting my application, on the basis that I am three years short of time of active engagement. Through this petition letter, and in accordance with Section 32-106 A.R.S. R4-30-02, I herobly request reconsideration of same.

The particular ground for my grievance is that I believe that both my education and experience have been slighted

a) Complicated as it admittedly might be to read the transcript of my college credits, there is definitely two years' completion of Civil Engineering study shown thereupon - including all of the required surveying courses. Is not very such full year (up through four years maximum), in pursuit of a bachelor of science degree, recognized by the Board to be equal to and interchangeable with an experience year? That is the way that I read Section 32-122-B. A.R.S.

b) My land surveying experience, Section 32-101-(15) A.R.S., I have today reviewed and have minimized, with the strictest scrutiny, to have been as follows:

Number of Engagement (on application)	Time In Months	Number of Engagement (on application)	Time In Months
1	4	10	1
3	21	11	5
5	21	12	4
6	6	13	3
7	2	14	6

Total 73 = 6 yrs 1 mo.

I still want to take the examination in April, thus I desire a personal appearance before the Board to appeal the decision of the evaluation committee.

Yours truly,  
William G. Pool  
William G. Pool



APPLICANT'S RECORD SHEET

14

04926

No. 80-491

Date Rec'd 7/24/80

Name Pool, William Gordon

Age 59

Business Address

Proficiency Requested (branch)

City of Phoenix  
251 W. Washington  
Phoenix, AZ 85003

Architect \_\_\_\_\_ Prof. Engr. \_\_\_\_\_  
Assayer \_\_\_\_\_  Land Surveyor \_\_\_\_\_  
Geologist \_\_\_\_\_ Landscape Architect \_\_\_\_\_

EDUCATION

No degree  
Transcripts Verified  
 Accredited Program

1) 42-47 MA Inst. of Technology University Degree Date

2) \_\_\_\_\_  
Remarks: \_\_\_\_\_ Credit 1 Yrs

EXPERIENCE (See Summary on Reverse Side) Good P. experience, but very little field exp  
shown on app. - Committee - verify the exp  
1 Years + 1 Years (Education credit) = \_\_\_\_\_ Years (Education and Experience)

PROFESSIONAL QUALIFICATIONS

PRIOR Registration in State of \_\_\_\_\_ by \_\_\_\_\_  
State \_\_\_\_\_ Date \_\_\_\_\_  
Written Examination \_\_\_\_\_ Hrs.  
(See Exam Detail Reverse Side)  
Education & Experience \_\_\_\_\_  
Other \_\_\_\_\_  
NCARB Cert # \_\_\_\_\_  
NCEE Record # \_\_\_\_\_  
CLARB Record # \_\_\_\_\_  
Other Registrations \_\_\_\_\_  
by \_\_\_\_\_  
by \_\_\_\_\_  
by \_\_\_\_\_  
Seismic Qualification  
Treatise to \_\_\_\_\_  
Seminar Credit fr \_\_\_\_\_

IN-TRAINING QUALIFICATIONS (AZ Residents Only)

Exams AIT EIT GIT LAIT \_\_\_\_\_ Hrs.  
State \_\_\_\_\_ Cert # \_\_\_\_\_ Date \_\_\_\_\_  
 NO Exams - Experience And/or Education only

REFERENCE SUMMARY

- 5 Reg. \_\_\_\_\_ Non-Reg. \_\_\_\_\_
- 1. J. Dischinger/Acceptable
- 2. J. Easter/Very meticulous individual. Organizes thought & plans his approach in a professional manner. Would be an asset to the professional ranks in Arizona.
- 3. J. Budzynski/Meets or exceeds requirements. Very well qualified. Work of high caliber. Reliable, honest, ethical.
- 4. R. Lenon/At time he worked for me, he did not have much experience, but was a good helper. Willing, honorable & always took a genuine interest. Would employ again at any time.
- 5. R. Davis/Believe his field experience would qualify him

RECOMMENDATION

Personal Audience \_\_\_\_\_ Waived \_\_\_\_\_  Held 2/13/81 Date  
CONSIDER L.S. I.T.  
Grant registration per ARS 123.A on Professional Qualifications shown above.  
Grant registration per ARS 123.B on passing examinations or submitting Seismic qualifications initiated below. Next examination series begins \_\_\_\_\_

Exam	1	A	2	B	3	C	4	D	5	6	Seismic
Exam		A		B							

Grant registration per ARS 123.C for  Lack of 3 yrs. satisfactory experience.

Failure to complete requirements of Board.  
Committee \_\_\_\_\_ Board Confirmation \_\_\_\_\_  
Date 2/13/81 Date \_\_\_\_\_ Minute Pg. \_\_\_\_\_  
Granted Professional registration as \_\_\_\_\_ on \_\_\_\_\_ (Date)  
minute page \_\_\_\_\_, and assigned registration no. \_\_\_\_\_

Professional Qualifications

Examinations Completed - Examination State \_\_\_\_\_

In training \_\_\_\_\_

Professional \_\_\_\_\_

I - NCARB EXAMS Exam G Date \_\_\_\_\_  
 \_\_\_ 36 Hr. \_\_\_ C, \_\_\_ D, \_\_\_ E, \_\_\_ F, \_\_\_ G, \_\_\_ H, \_\_\_ I.  
 \_\_\_ 20 Hr. Equivalency \_\_\_ A, \_\_\_ B, \_\_\_ C, \_\_\_ D, \_\_\_ E.  
 \_\_\_ 20 Hr. Qualifying \_\_\_ A, \_\_\_ B, \_\_\_ C, \_\_\_ D, \_\_\_ E.  
 \_\_\_ 8 Hr. Qualifying \_\_\_ A, \_\_\_ B, \_\_\_ C, \_\_\_ D.  
 \_\_\_ 16 Hr. Professional \_\_\_ I, \_\_\_ II, \_\_\_ III, \_\_\_ IV.  
 \_\_\_ 12 Hr. Professional \_\_\_ A (Design)

II - NCEE EXAMS  
 \_\_\_ 8 Hr. Fundamentals of Engrg. \_\_\_ AM, \_\_\_ PM.  
 \_\_\_ 8 Hr. Principals & Practice \_\_\_ AM, \_\_\_ PM.  
 PE Branch \_\_\_\_\_  
 \_\_\_ 8 Hr. LS Fundamentals \_\_\_ AM, \_\_\_ PM.  
 \_\_\_ 4 Hr. LS Principals, Practice \_\_\_ AM,

III - CLARB EXAMS Date \_\_\_\_\_  
 \_\_\_ 20 Hr. UNE \_\_\_ A, \_\_\_ B, \_\_\_ C, \_\_\_ D,  
 \_\_\_ Hr.

IV - STATE EXAMS  
 \_\_\_ Hr.  
 \_\_\_ Hr.

V - NO EXAMS

\_\_\_ Education and Experience  
 \_\_\_ Other

SEISMIC QUALIFICATION

\_\_\_ WESCARB State  
 \_\_\_ Exam G After Dec., 65 \_\_\_ Yes \_\_\_ No  
 \_\_\_ Prof. Exam after 1974 \_\_\_ Yes \_\_\_ No  
 \_\_\_ Seminar - State \_\_\_ Date \_\_\_\_\_

\_\_\_ Treatise filed w/ \_\_\_\_\_ State \_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_ Treatise req'd by Arizona  
 Rec'd \_\_\_\_\_ Apprv'd \_\_\_\_\_  
 Date \_\_\_\_\_ Date \_\_\_\_\_

Member of 1939 & 1940: US Dept. of Interior/Cornerman & Axman/Subdividing into quarter sections  
 in mining claims & crossing Continental Divide along NM Princ. Meridian.  
 2-3/46: US Army Corps of Engrs./Jr. officer/Dispatching vehicles, company mess & supplies.  
 7/47-9/50: Stone & Webster/Field Engr./Instrument man, inspector, providing lines & grades in  
 yard & bldg. Controlling & coord. const.  
 10/47-1/51: Bernard F. Locraft/Checker/Assist. as member of ls crew checking calcs.  
 10/50-6/52: Walter L. Phillips/Party Chief/Land surv. & appurtenant calcs-prop. & const.  
 7/52-7/53: Gerald M. Callahan, Inc./Proj. Engr./Defense housing for AFB/Staking earthwork, pavi-  
 house locations, utilities & perf. appurtenant drafts. & calcs.  
 9/53-11/53: H adman, Ferguson & Carollo/Party Chief/San. sewer des. leading surv. crew for vert  
 controls & ground profile for prelim line.  
 12/53-3/54: Infilco/Mech. draftsman/Creating new draw. & revising exist. draw.  
 4/54-4/54: Austad Steel & Const./Asst. to Engr. at prep. bids on a water tower & bridge. Quanti-  
 take-off.  
 5/54-5/54: Lenon Engrg./Office & Field asst./Perf. calcs.  
 6/54-9/56: AZ State Land Dept./Field Rep. for Ground Water Div., Transcript Clerk/Invest. drill  
 of irrigation wells & mapping of exist. irrigations wells in critical ground water areas.  
 Transcribing Federal grants of lands to state for key-punching.  
 10/56-3/57: Western Engrg./Mathematician/Draft. & calcs.  
 4/57-6/57: Bear Creek Mining Co./Party Chief/Explorations for Kennecott Copper/Lead. surv. crew  
 occupied at staking mining claims & running lines for geophysicists.  
 7/57-present: City of Phoenix/Engrg. Aide III/Sen. Draft. Tech/Calculating assessments to proper  
 owners for sanitary sewers & paving; draft. assessment diagrams, transcribing work done by past  
 paving improvements districts for key-punching, field reconnaissance for proposed paving,  
 local draft., process. drain. complaints, operating rain gages, rev. prop. horiz. alignments  
 lines & channels, maint. records of const. projects., answering inquiries about locations  
 exist. storm drains.

H. C. Durand  
REGISTERED LAND SURVEYOR

04928

808 S. Catalina  
Tucson, Arizona 85711  
Phone: (602) 745-0043

March 3, 1981

State of Arizona  
Board of Technical Registration  
1645 West Jefferson, Suite 315  
Phoenix, Arizona 85007

RE: Application for Land Surveyor Reg. #80-491  
Applicant - William G. Pool

Gentlemen:

This is the rationale answering Mr. Pool's request for reconsideration as afforded by R4-30-2 in the Rules and By-Laws of the State Board of Technical Registration, (Hereinafter referred to as State Board) and to amplify the Evaluation Committee's recommendation to deny Mr. Pool's application for Land Surveyor Registration.

A careful study of Mr. Pool's application has been made and the following deficiencies have been determined:

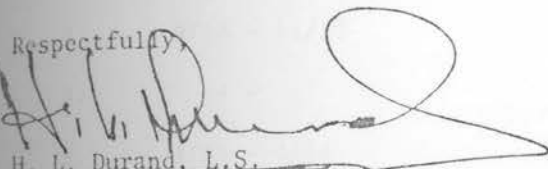
1. Little mention is made of actual land surveying as defined in the Code of the State Board under Art. 1, 32-101 Para. B. Subsection 15. (Definition of Land Surveyor).
2. Further, Mr. Pool has not demonstrated experience or knowledge toward ability in making decisions in land surveying to resolve or form an opinion of a problem with respect to the physical or written title of a parcel of real property.
3. Mr. Pool indicates no concerted experience in work within the rectangular system of surveys and the Rules and Regulations applicable therein.
4. Further, Mr. Pool, in his letter of February 22, 1981, refers to R4-30-03. Because of this, I studied his application keeping this reference in mind. My conclusion is that Mr. Pool can only be credited with a questionable total of ten (10) months of experience in charge, with respect to land surveying.

In view of the above, Mr. Pool has not furnished a manifest whereby he can be allowed the opportunity to take the land surveyor examination or any part thereof.

State of Arizona  
Board of Technical Registration  
March 3, 1981  
Page Two

Mr. Pool can only be credited with a total of 22 months of experience in land surveying, including 12 months of education where 6 years are required.

The above comments have been made with due consideration and, as a supplement to the recommendation of the Evaluation Committee, keeping in mind the preservation of the public peace, health, safety and welfare, a rehearing is impracticable and not in the public interest.

Respectfully,  
  
H. L. Durand, L.S.  
Member of Board  
Chairman Evaluation Committee

HLD:ew

ITEM NO.	TIME PERIOD	MONTHS CLAIMED EXPERIENCE ON APPLICATION	MONTHS SUBPROFESSIONAL ACKNOWLEDGED EXPERIENCE
1.	Mid '39-Mid '40	4	4 (part-time)
2.	- -	-	-
3.	3/47 - 9/50	21	0
4.	10/47 - 1/51	40 (part-time)	5
5.	10/50 - 6/52	21	10 (responsible charge)
6.	7/52 - 7/53	6	0
7.	9/53 - 11/53	3	0
8.	- -	-	-
9.	4/54 - 4/54	1/3	0
10.	5/54 - 5/54	1	1
11.	1/54 - 9/56	28	0
12.	10/56 - 3/57	6	3
13.	4/57 - 6/57	3 (responsible charge)	0
14.	7/57 - to date	276	0
Total Subprofessional & Responsible Charge . . . . .			22 Months
Plus Education . . . . .			12 "
Total:			34 Months

NOTE:

Of above total experience, only 10 months (questionable) is responsible charge experience, therefore, only 22 months can apply which includes 12 months education.





**GOE & VAN LOO**  
 CONSULTING ENGINEERS INC.  
 ENGINEERING - PLANNING  
 4550 NORTH 12TH STREET  
 PHOENIX, ARIZONA 85014

04931

FRANCIS J. GOE, P.E.  
 P. E. GOE, P. E. 1915-1977  
 H. W. VAN LOO, P. E.  
 ALBERT B. CUTLER, JR., P. E.

*Hold for  
 Fred E. Fleet  
 P.E.*

- E. GOE, P. E. PRESIDENT
- H. W. VAN LOO, P. E.
- RONALD J. MENARIK, R. L. A.
- PLANNING
- JOHN B. NELSON, P. E., L. S.
- RONALD C. FISHER, P. E.
- RAMESH I. PATEL, P. E.
- PAUL SIDERS, P. E.
- KARL A. HIRLINGER, P. E.
- JAMES J. HALL, L. S.
- E. THOMPSON VAN LOO, P. E.

February 17, 1981

State of Arizona  
 State Board of Technical Registration  
 1645 West Jefferson  
 Room 315  
 Phoenix, Arizona 85007

Gentlemen:

I hereby request the Board to waive the requirement for my passing parts one and two of the Professional Engineers Examination as a prerequisite for obtaining my Civil Engineering License in the State of Arizona.

I am a 1969 graduate of Oregon Institute of Technology, which is an ECPD accredited school and an institution of the State System of Higher Education in the State of Oregon.

I have passed parts three and four of the above referenced examination and have 12 years of practical experience in the field of Civil Engineering and Surveying.

I fully intend to take and pass part two of the examination (having already passed part one) as I plan to obtain my engineering license in other states as well as the State of Arizona.

If you have any questions or require any further information concerning this matter, please contact me at 264-6831 (office) or 956-5651.

Very truly yours,

Fred E. Fleet

FEF:dp

04932

STATE OF ARIZONA  
BOARD OF TECHNICAL REGISTRATION  
PUBLIC RELATIONS AND MEDIA RELATIONS PROGRAM

SUBMITTED BY  
BOZELL & JACOBS/J&T  
PUBLIC RELATIONS  
JANUARY 1981

OBJECTIVES

The public relations program would build an increased level of awareness of the State of Arizona Board of Technical Registration among various Arizona publics. Objectives, purposes and actions taken by the Board of Registration also would be communicated.

STRATEGIES

1. Media Relations
2. Newsletter Production and Publication
3. Annual Report Production and Publication

Development of press materials and... Contribution to the... of... and... The agency will develop and update... for... print, electronic, trade publications and special... events.

Development of press materials include the production of... on... to the... under... and a... available.

The agency will work with the media to communicate... of... and... from... quarterly... and if... meetings.

It is estimated that the media relations portion of this project... approximately 20 hours per month. At the regular agency rate... of \$1,200 per month.

MEDIA RELATIONS

A media relations program for the State of Arizona Board of Technical Registration would consist primarily of three elements: /1/ -- The building and updating of a media mailing list; /2/ -- Development of press materials; and /3/ -- Communication to the media of board activity and results.

The agency would develop and update statewide media lists for the following media: print, electronic, trade publications and special interest publications.

Development of press materials would include the production of a news release form; fact sheet on the Board of Registration to be utilized by the media in disseminating news to the public; board member photography; and a press mailing envelope.

The agency also would work with the media in communicating results of all Board of Registration meetings and activities. These activities would include results from the four regularly scheduled quarterly meetings, any special meetings, and 12 enforcement meetings.

It is estimated that the media relations portion of this program would take approximately 30 hours per month. At the regular agency fee of \$50 per hour, this would mean a fee of \$1,500 per month.



NEWSLETTER PRODUCTION AND PUBLICATION

The agency also would produce and publish the Board's quarterly newsletter.

Format of this publication would be determined after close consultation with the executive director of the Board. The newsletter would be utilized to summarize actions taken by the Board in the prior three months and feature stories on Board members, special interest groups and other subjects pertaining to the Board and its actions.

Such a publication would be sent to registrants, media and key opinion leaders throughout Arizona and the Southwestern United States. It is estimated that newsletter production and publication would take approximately 30 hours quarterly, or 10 hours per month. At the regular agency fee of \$50 per hour, this would mean a fee \$1,500 quarterly, or \$500 per month.

ANNUAL REPORT PRODUCTION AND PUBLICATION

An annual report should be produced. This publication would summarize the Board's actions over the prior year and document aims and goals of the Board for the upcoming year.

This publication would be produced in close consultation with the Board and its executive director, and would be forwarded to registrants, media and opinion leaders throughout the state and region.

Such a publication would be produced under a separate budget. Costs would be dependent on several factors including agency time, production costs and size of the annual report.

BUDGET SUMMARY

MEDIA RELATIONS PROGRAM (30 hours per month)	\$1,500
NEWSLETTER PRODUCTION (10 hours per month)	<u>\$ 500</u>
TOTAL MONTHLY FEE	\$2,000

ANNUAL REPORT PRODUCTION To Be Determined

The following table shows the estimated costs for the 1960-61 fiscal year for the following items which will be required for the 1960-61 fiscal year:

Personnel Services	\$12,000
Materials & Supplies	\$1,750
Other Operating Expenses	\$400
	<u>\$14,150</u>

The above amount includes \$2,000 for travel and other miscellaneous items.

Additional and Special Services - The \$11,750 is for additional materials and supplies required by the agency in implementing a new personnel management system. These services are provided through Personnel Administration, Inc., Chicago.

Printing and Reproduction - This amount is for the purchase of new equipment for the 1960-61 fiscal year.

Administrative Services  
 Personnel Administration, Inc.

STATE OF ARIZONA  
Joint Legislative Budget Committee

1716 WEST ADAMS  
PHOENIX, ARIZONA 85007  
PHONE (602) 255-5491

MEMORANDUM

Date: February 5, 1981  
To: Representative Holman  
Representative Todd  
Representative McElhaney  
From: Marilyn Spies, Budget Analyst *ms*  
Subject: Board of Technical Registration Supplemental

The subcommittee findings of February 4, 1981 indicate the following amounts would be required for the 1980-81 supplemental request of the Board of Technical Registration:

Personal Services	\$12,900
Professional & Outside Services	11,700
Other Operating Expenditures	9,400
	<u>\$34,000</u>

Personal Services - The amount includes \$8,000 for Board per diem and \$4,900 for temporary help.

Professional and Outside Services - The \$11,700 is for additional data processing costs incurred by the agency in implementing a new triennial license renewal system. These services are provided through Department of Administration Data Center.

Other Operating Expenditures - This amount is for the purchase of new package forms for the license renewal system.

MS:fs  
xc: Representative Goodwin  
Senator Pritzlaff



State of Arizona  
 BOARD OF TECHNICAL REGISTRATION

04940

FOR ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, LANDSCAPE ARCHITECTS AND LAND SURVEYORS  
 1645 W. JEFFERSON, SUITE 315 • PHOENIX, ARIZONA 85007 • (602) 255-4053

MEMORANDUM TO: Evelyn Epstein  
 FROM: Jim Walter *JW*  
 SUBJECT: Environmental Repair Service  
 DATE: October 10, 1980

Enclosed is a Department Report and enclosed copies of each item in our file.

Note the Board has directed the filing of an injunction to preclude Mr. Cox and Environmental Repair Service from the practice of Landscape Architecture.

DEPARTMENTAL REPORT

04941

BOARD OF TECHNICAL REGISTRATION  
1645 W. Jefferson, Suite 315  
Phoenix, Arizona 85007

Complaint: 0032-79 BTR VS ENVIRONMENTAL REPAIR SERVICES  
Complaint filed by Norman L. Abucuhon, Landscape  
Architect

Question: Is Environmental Repair Service performing Landscape  
Architectural functions in violation of the statutes.

A. File Content

1. Letter dated December 19, 1979 to State Board of Technical Registration from Rod Cox
2. Letter dated received November 19, 1979 to Board of Technical Registration from Attorney Rodney Matheson
3. Letter dated December 26, 1979 to Rodney Matheson from Mark Edson
4. Letter dated December 3, 1979 to Rodney Matheson from Mark Edson
5. Letter dated December 12, 1979 to Environmental Repair Service from Mark Edson
6. Letter dated July 24, 1980 from Mark Edson to Rod Cox
7. Letter dated July 24, 1980 to William Hunse from Mark Edson
8. Memorandum to the Corporation Commission from Mark Edson dated July 10, 1980
9. Investigative report of Howard Sauter dated March 18, 1980, with exhibits: a) 29 individual sheets of drawings (12 distinctly marked by the Environmental Repair Service); b) calling card of Rod Cox, President of the Environmental Repair Service; c) 6 sheets of advertisements by the Environmental Repair Service offering, among other things, planning and design, landscape architecture; d) report from the Arizona Corporation Commission; e) 8 pages of street maps
10. Excerpt from Phoenix Enforcement Committee Minutes, August 5, 1980
11. Excerpt from Board of Technical Registration Minutes, September 5, 1980

SUMMARY:

Investigator in contacting Environmental Repair Service anonymously, was told that they provide all services he would need for landscaping an office building consisting of approximately 27,000 square feet.

This was represented by Mr. Rod Cox, President of Environmental Repair Service. During the conversation he went into great detail, what services they would perform, which are listed in the investigative report.

ERS is apparently a very successful firm, there were several people working on the premises; and on every wall there were various landscape designs, drawings, and projects in the works, or accomplished.



Both Mr. Cox and Mr. Hunse seem to have trouble distinguishing between landscape architecture and landscape design.

As noted above, the file contains an abundance of drawings done by Environmental Repair Service for landscaping. The maps contained in the list of documents have circles on them showing where some of the places were that Environmental Repair Service had done work. For example, the Other Place a restaurant in Mesa, the Dobson Ranch Inn in Mesa, the Sierra Madre Apartments in Mesa, and the Mesa Lutheran Hospital in Mesa.

C. POTENTIAL WITNESS

1. Rod Cox, President of the Environmental Repair Services, 1000 East Apache Blvd., Suite 210, Tempe, Arizona.
2. William H. Hunse, registered architect #10861, the Environmental Repair Services, 1000 East Apache Blvd., Suite 210, Tempe, Arizona (Mr. Hunse in his last response indicated he was in the process of leaving Environmental Repair Service, and therefore, may no longer be reached there).
3. Norman L. Aubuchon, Landscape Architect #8603, 2025 E. Downing St., Mesa, Arizona 85023.
4. Clients of Mr. Cox.

D. STATE BOARD OF TECHNICAL REGISTRATION FINDINGS AND CONCLUSIONS:

1. At its September 5, 1980 meeting the Board found that under the provisions of A.R.S. 32-101-14, Mr. Cox was engaging in the practice of Landscape Architecture, and was in violation of A.R.S. 32-121 in not being registered to practice, and was therefore guilty of a misdemeanor under A.R.S. 32-145.

They further found that Mr. Hunse's testimony did not show that he was aiding and abetting a non-registrant. That he was in process of clarifying his relationship and disassociating himself from Environmental Repair Service.

3. The Board therefore directs the Attorney General under A.R.S. 106.1, be requested to file a petition for injunction with the Superior Court in joining Rod Cox dba Environmental Repair Service from the practice of Landscape Architecture.



State of Arizona  
BOARD OF TECHNICAL REGISTRATION

14943

FOR ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, LANDSCAPE ARCHITECTS AND LAND SURVEYORS  
1645 W. JEFFERSON, SUITE 315 • PHOENIX, ARIZONA 85007 • (602) 255-4053

MEMORANDUM TO: Evelyn Epstein  
FROM: James L. Walter *[Signature]*  
SUBJECT: 0025-80 TBR VS. ARIZONA HOSPITAL ASSOCIATION  
DATE: October 14, 1980

In regard to the court action directed by the Board, attached is a copy of a letter received this date from Arizona Hospital Association to Maricopa County Hospital dated July 18, 1980.

Please note said letter is an offer of a contract. If signed by both parties Arizona Hospital Association would perform an engineering service.

Also please note Ronald Avery is not a registered engineer although he seems to be signing letters as such.

Please advise at your earliest convenience if you plan on filing in court or not.

Also attached is a copy of the Consent Agreement on the Woodworth matter, with your changes noted.

Please advise us as soon as possible if this is now acceptable for sending out.

Thanks again for all your help.

ilo

Enclosures

## DEPARTMENTAL REPORT

BOARD OF TECHNICAL REGISTRATION  
1645 W. Jefferson, Suite 315  
Phoenix, Arizona 85007.

Complaint: 0025-80 - TBR vs. Arizona Hospital Association  
Complaint filed by Gilbert T. Gutierrez, registered  
Chemical Engineer #9977.

## A. File Content (attached)

1. Investigative report of Howard C. Sauter dated August 12, 1980

## A. Exhibits to said report:

1. List of Officers & Directors of Arizona Hospital Association
2. State Purchasing office for form FD 103 - Invitation for Bids, as filed by Arizona Hospital Association
3. Blank sample of form FD 103 from State Purchasing Office
4. Instructions and conditions for submitting bids
5. Instructions to contractors
6. State of Arizona, Dept. of Administration, Finance Division Purchasing Office (addendum form dated May 14, 1980)
7. Request for Proposal for Professional Engineers Services

## B. Summary

There were three phases to this project. Phase I had been successfully carried out by Arizona Hospital Association (hereinafter referred to as AHA) and their subcontractor, RMH, of Denver, Colorado (who apparently has an Arizona registrant in their employ). This controversy involves Phase II. Phase III is to be carried out later this year.

The objective of the grant was for a firm to put together a program whereby maintenance men and various sorts of technicians were to be taught to effectively perform energy audits on the hospitals in which they are employed.

Gilbert T. Gutierrez, along with business associate, Roger E. Palmenberg, have filed Civil Court Action, Docket #C-413 719.

May 14, 1980 Bids were extended for training program through OEPAD.

May 27, 1980 Gutierrez and Freedman Engineering submitted their bids.

After implied deadline of 1400 hours the same date, AHA and Lowry, Sorenson & Willcoxson Engineers submitted bids and proposals.

According to Gutierrez's complaint, Jim Burgess of OEPAD failed to inform other bidders about the bids placed by AHA and Lowry, Sorenson & Willcoxson Engineers. The late bids were accepted. Preliminary injunction was filed by Gutierrez.

1. Document entitled "Request for Proposal for Professional Engineering Services" on page 2, under Detailed Specifications says, "1. The consultant must certify the personnel assisting/ conducting energy auditor training sessions are either an architectural engineering team or engineer, registered in Arizona, who are able to evaluate energy use systems and have had practical experience in performing energy audits."

AHA is described in the Articles of Incorporation as being a non-profit, hospital management corporation. They have one full time paid staff, President and Secretary, Ronald D. Krause. All others are voluntary. No registrants are affiliated with the corporation.

The bid of AHA made it clear that RMH of Denver would be subbed to do the work.

Mr. Burgess indicated that he was unaware that only registrants in the State of Arizona were allowed to bid.

C. Potential Witnesses:

1. J. Adrian Morgan, buyer, State Purchasing Office, 1688 West Adams, Room 220.
2. Ronald D. Krause, Arizona Hospital Association, 4202 East Raymond, Phoenix, Arizona 85040.
3. Jim Burgess, OEPAD, 5th floor, Capitol Building.

D. Findings and conclusions of the Board of Technical Registration

1. The Arizona Hospital Association is in violation of A.R.S. 32-101, having filed a bid to provide engineering services, without having a registered engineer in their employee, or as a principal of their corporation.
2. The Board directs misdemeanor charges be filed against AHA, in accordance with A.R.S. 32-145.

This action was taken by the Board at its September 26, 1980 meeting.

ARIZONA STATE  
UNIVERSITY

Board Agenda  
3/14/81  
04946

TEMPE, ARIZONA 85281

February 26, 1981

Mr. Mark Edson  
Executive Director  
Board of Technical Registration  
1645 West Jefferson  
Suite 315  
Phoenix, Arizona 85007

Dear Mr. Edson:

Reference is made to my conversation with you on February 23, 1981.

I am sorry if there has been any misunderstanding regarding the communication we received from your office of September 26, 1980.

To date, we have had contracts with two firms to investigate problems associated with the Sun Devil Stadium.

We had a contract to do some geotechnical work, which has been furnished to the second firm with whom we have had a contract to make a "failure analysis." The second firm, Sverdrup & Parcel, have completed their "failure analysis" and have made a verbal presentation to the President, several members of the Arizona Board of Regents, representatives of the Attorney General's Office, representatives of the Risk Management Office and legal counsel of the Board of Regents. We expect that "failure analysis" report in writing within the next two or three weeks.

After receiving this verbal report, the individuals mentioned above then agreed that it would be necessary that we receive additional geotechnical information. A contract has been let to Sverdrup & Parcel to complete some geotechnical drillings. This should be done within the next two months.

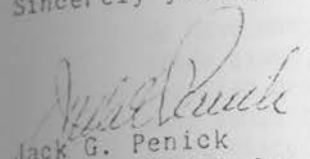
At the completion of this next job, the University should then have sufficient information to determine what has taken place, why it took place, who was responsible, and what corrective action will be needed.

I apologize if our communications have been garbled. It was my understanding that I had indicated to someone of your office that we would be happy to release these reports for their study. As soon as we obtain the "failure analysis" report in writing, I will send you a copy.

Mr. Mark Edson  
February 26, 1981  
Page 2.

In the meantime, if you and Mr. Wayne Earley would like to meet with me, I will be very happy to brief you on what has taken place to date and furnish you with any information we have, which you may wish to examine. Please call me at 965-3201 in the event you wish such a briefing.

Sincerely yours,



Jack G. Penick  
Vice President for Business Affairs

jad

- 1 - City of Phoenix
- 1 - City of Glendale
- 1 - City of Tempe
- 1 - City of Mesa
- 1 - City of Chandler
- 1 - City of Flagstaff
- 1 - City of Tucson



## REPORT OF THE EXECUTIVE DIRECTOR

1. In December, following the Board meeting, we examined 91 candidates in architecture (Professional Exam - 16 hr.). Thirty-seven of these completed the process successfully and were granted registration in February. Exam grades came through very quickly and were here almost three weeks before the NCEE grades from engineering exams, given the end of October.

We have many telephone complaints about the period of time required to grade exams, particularly machine graded material. We would like to see exam grades reported out 60 days following the exam date. NCEE used about twice this time this year, worst ever. Board members might discuss these problems at spring meeting.

2. We met with public information consultants and generated a little response to our need for a scope of work, with a big price tag for a truly professional job.
3. On December 22, we initiated an upgrade of our Administrative Assistant slot from Grade 15 to 17 after the Personnel Assistant Director agreed to expedite the review in a meeting with the Chairman and myself. On January 15th, Mr. Rabago refused our request in a very soft turndown, which I didn't accept. When the discussion was ended, we had a conditional Grade 17 position, providing: a) that it will revert to Grade 15 on June 30th, if we don't get legislative concurrence; and 2) that it will relieve me sufficiently to begin our peer review work. The position was advertised and evaluated; we received a hiring list on February 13th. The Executive Committee joined with me in interviewing applicants on February 20th and 24th. On the 26th, we appointed Bruce Rosenhaun, who has strong administrative experience with Surplus Property Division and is being reinstated to State service with our job. He had left the State to start his own business, but uncertain times changed his mind. We believe he will do a good job for us.
4. On peer review, I have been in contact by telephone with building safety people from:

- a) City of Phoenix
- b) City of Glendale
- c) City of Tempe
- d) City of Mesa
- e) City of Chandler
- f) City of Flagstaff
- g) City of Tucson

All are enthusiastic about working with us, and this kind of response leads me to believe that our Peer Program will be highly successful

Report of the Executive Director  
Page Two

as part of our enforcement effort, and when enforcement is tied to a strong public information program, those operating on the edge of the law should be doing more to insure that they are doing a capable job for their clientele.

5. In December, the Ramada Inns sold one of our reserved exam dates for April engineering exams "by mistake" and left us with split dates, April 9 and 11. I was forced to seek another location which I secured at the newly remodeled Desert Hills Resort Hotel on East Van Buren. On February 25th, I learned that the facilities were closing their doors at noon, same day, and that our dates would not be honored. The Engineering College at ASU has been of great help in relocating these exams (175 persons) at such a date and will accommodate us on April 11 and 12. We will be out of sync with the rest of Arizona and the country, but we have no choice. We propose to handle exam security through notification letters advising each candidate only of the time and place of his exam site, not giving him additional data on other exam sites.
6. In December, we completed preparation of all legislative and appropriation material and secured a sponsor for H.B. 2115. Representative Don Kenney introduced the bill through the majority and cleared it promptly in an expeditious hearing in his Tourism, Professions, and Occupations Committee. He should be thanked. I'm sure letters would be appreciated. Representatives Ratliff and Wettaw cooperated with us in moving the bill twice through a very crowded calendar of the Government Operations Committee.

In appropriations, we hosted a subcommittee of the House Appropriations Committee here in our office, and I felt that the members attending (Holman, Todd, McElhaney) and Board members had a great deal of rapport. Members of the Board went with me to testify on the budget (81-82) before a Senate Subcommittee (Lindeman, Gutierrez). I felt we made a strong case. To date, the subcommittee has not met to make a recommendation. I'm not certain of the value of a briefing when so much time goes by, with other complex issues intervening, between briefing and action (January 16th 'til now).

Legislative hearing and justification process has taken much time in January and February, and March will be the same.

7. Computer Software

I have spent many hours in conference with our EDP advisors prior to preparation of new programs for our triennial renewal system.

Report of the Executive Director  
Page Three

Our input has been invaluable in getting a program that not only keeps track of our triennial renewal system but is prepared to accept all our file systems for data purposes.

Our previous program worked only with our list of active registrants, and that list was our only file stored at the Data Center. Our new program will accommodate the active file and also our delinquent, lapsed, deceased, denied, in-training, and application files; it will record status such as elderly waiver, disciplinary actions, (censure, probation with time track, suspension with time track, revocation) and it will track people through all these classifications. The program (software) is now about 80% complete at a cost of \$11,775, plus an overrun of about \$4,000.

The first test was the renewal notices which went out in one day on October 17th. We spent some time in resolving fee input style and working with the Data Center on print format of data output. This took three months to complete before the program could generate receipts. It was finally ready and receipts were run on February 25th and went in the mail on February 27th after an accuracy check by our staff. The system worked beautifully, delivering everything in zip code bundles, ready to deliver to the Administration Department mail room, who gets it to the post office for us.

The remaining part of our program involves data input process working through an EDP CRT terminal here in our office. Completion of this part of the program involves waiting for legislative approval of the cost of the equipment. We spent a good three weeks in justifying the inclusion of this \$2,900 item through the State's official committee headed by Jack Stanton, Asst. Director of Data Services. We got this justification approved on January 27, 1981. Once all this is in line and working properly, we can use file data printed on microfiche and updated at whatever time we specify to substitute for all the card files we now use, with the exception of examination performance records and in-depth detail about disciplinary actions. Microfiche cards will be set up in numeric sequence with a cross reference on each card in alpha order.

The variety of output format that is now available requires that we have one person who is familiar with it all and some back-up person to fill in when necessary in responding to system requirements for action. My plan is to put this responsibility on the Supervisor of Registration activity with backup in the Administrative Assistant desk. I am attaching four examples of this output in this agenda to give you an idea of what we mean when we say our input effort into programming the system has been invaluable.

## FILE STATISTICS BY STATUS

04952

CYCLE RANGE	GROUP	PENDG	TRAIING	ACTIVE	DELING	LAPSED	DEC'D	RE
A-B	01			1004	178			2
C-D	02			551	110	2		3
E-F	03			528	71			
G-H	04			702	95	1		
I-J	05			810	116			
K-L	06			972	158	1		2
M-N	07			902	168			4
O-P	08			334	75			1
Q-R	09			382	67			
S-T	10			805	144			3
U-V	11			428	74			
W-Z	12			646	115			2
TOTALS				8184	1371	4		17

REGISTRATION  
0105

RUN DATE 02/14/81

CONTROL DATE 02/13/81

OUTPUT PRODUCED

PKD	DENIED	TOTAL	RENEWAL NOTICES	LATE NOTICES	TD RECEIPTS	RECEIPT DOLLARS
		1186		177	966	48262.50
		684		110	543	28473.75
		599		71	524	5921.25
		798		95	693	10421.25
		736		116	632	11350.00
		1133		155	961	15552.50
		1074		166	892	3422.50
		619		75	525	15736.00
		449		66	378	12757.50
		1042		144	884	33157.50
		502		74	424	17493.75
		753		113	655	28578.75
		9576		1362	8083	257741.25

04954

BTP017.2

BOARD OF TECHNICAL REGISTRAR  
UNSUCCESSFUL REGISTRATION TRANSACTIONS

CERT#	NAME	VOUCHER	PAID	DATE	FEE	ERROR CONDITIONS
04225	OST	0175885	01/28/81	30.00		FIRST 3 POSITIONS C
04830	DE	0175885	01/28/81	11.25		FIRST 3 POSITIONS C
06780	NAI	0175885	01/28/81	26.25		RENEWAL FEES ALREAD
12737	CAR	0175885	01/28/81	52.50		RENEWAL FEES ALREAD
00802	HAR	0175890	02/04/81	22.50		FIRST 3 POSITIONS C
01823	SHE	0175890	02/04/81	37.50		RENEWAL FEES ALPEAE
05362	ARB	0175890	02/04/81	45.00		FIRST 3 POSITIONS C
06935	HOC	0175890	02/04/81	18.75		RENEWAL FEES ALREAD

TOTAL TRANSACTIONS IN ERROR 3



01955  
RATYON  
TRANSACTIONS

RUN DATE 02/14/81 PAGE 1

CONTROL DATE 02/13/81

S OF NAME DO NOT MATCH RENEWAL TRANSACTION (LASTNME)

~~S OF NAME DO NOT MATCH RENEWAL TRANSACTION (LASTNME)~~

EADY ENTERED FOR THIS REGISTRANT - POSSIBLE CERT# ERROR

~~EADY ENTERED FOR THIS REGISTRANT - POSSIBLE CERT# ERROR~~

S OF NAME DO NOT MATCH RENEWAL TRANSACTION (LASTNME)

~~S OF NAME DO NOT MATCH RENEWAL TRANSACTION (LASTNME)~~

S OF NAME DO NOT MATCH RENEWAL TRANSACTION (LASTNME)

~~S OF NAME DO NOT MATCH RENEWAL TRANSACTION (LASTNME)~~

~~EADY ENTERED FOR THIS REGISTRANT - POSSIBLE CERT# ERROR~~

RJ1010.2

BOARD OF TECH  
MAINTENANCE

CERT LAST NAME 1ST NAME MID NAME 1ST AD  
02169 CREEGER DONALD H 1523 GR

ZIP COUNTY DISP-CODE PROC-STATUS STAT1 STAT2  
15211 15 604 M 2

CYCLE CERT# EXPIRE-DATE TRAN-CODE  
06/30/84 2 \*--ADD ERROR--\*

CERT LAST NAME 1ST NAME MID NAME 1ST ADDR  
02633 HIRSCH WILLIAM 8101 MEI

ZIP COUNTY DISP-CODE PROC-STATUS STAT1 STAT2  
90046 15 100 R 2

CYCLE CERT# EXPIRE-DATE TRAN-CODE  
/ / \*\*\*\*\* 2 \*\* ADD \*\*

CERT LAST NAME 1ST NAME MID NAME 1ST ADDR  
09896 STEELSMITH HENRY GEORGE 2055 N C

ZIP COUNTY DISP-CODE PROC-STATUS STAT1 STAT2  
85220 07 100 M 2

CYCLE CERT# EXPIRE-DATE TRAN-CODE  
06/30/83 2 \*--ADD ERROR--\*

CERT LAST NAME 1ST NAME MID NAME 1ST ADDR  
18674 35282 07 2625 E SO

ZIP COUNTY DISP-CODE PROC-STATUS STAT1 STAT2 S  
35282 07 2625 E SO

CYCLE CERT# EXPIRE-DATE TRAN-CODE  
/ / 3 \*\* CHANGE \*\* \*\*

ERROR TRANSACTIONS NOT PROCESSED 4

1981  
CAL REGISTRATION 02/14/81

PAGE 1

ERROR REPORT

ADDRESS LINE                      2ND ADDRESS LINE                      CITY AND STATE  
INDVIEW AVE                      \*                      PITTSBURGH PA  
STAT2-DATE    STAT3    PAID-DATE    VOUCHER    REG FEE    LATE FEE    TOT FEE  
      / /                      02/04/81    0175890    52.50       7.50       60.00

~~CERT # ALREADY ON FILE \*\*~~

ADDRESS LINE                      2ND ADDRESS LINE                      CITY AND STATE  
L ROSE AVE                      \*                      LOS ANGELES  
STAT2-DATE    STAT3    PAID-DATE    VOUCHER    REG FEE    LATE FEE    TOT FEE  
      / /                      / /

ADDRESS LINE                      2ND ADDRESS LINE                      CITY AND STATE  
CORTEZ                      \*                      APACHE JUNCTION AZ  
STAT2-DATE    STAT3    PAID-DATE    VOUCHER    REG FEE    LATE FEE    TOT FEE  
      / /                      01/30/81                      37.50       7.50       45.00

~~CERT # ALREADY ON FILE \*\*~~

ADDRESS LINE                      2ND ADDRESS LINE                      CITY AND STATE  
SOUTHERN AVE                      \*                      TEMPE AZ  
STAT2-DATE    STAT3    PAID-DATE    VOUCHER    REG FEE    LATE FEE    TOT FEE  
      / /                      / /

~~\*\* CERT # NOT ON FILE \*\*~~

Hold for March 6<sup>th</sup> Bd Agn  
1981



# AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS

GENERAL HEADQUARTERS

Mailing address:  
P. O. Box 957  
Golden, Colorado 80401

Telephone: (303) 279-0026

Office location:  
622 Gardenia Court  
Golden, Colorado 80401

AIPG Advisory Committee: c/o Dames & Moore, 234 N. Central Ave., Suite 111-A, Phoenix, AZ 85004

February 18, 1981

Mr. Mark Edson, Executive Director  
Arizona State Board of Technical Registration  
1645 West Jefferson  
Phoenix, Arizona 85007

Dear Mr. Edson:

Following a recent meeting of the Arizona Section of the American Institute of Professional Geologists (AIPG), the Advisory Committee selected to assist the State Board of Registration met on January 24, 1981 to consider several subjects related to the registration of geologists in Arizona. This letter summarizes the results of that meeting. It should be noted by the Board of Registration that all members of this Advisory Committee are presently registered as geologists in Arizona.

The first item brought forth for consideration was whether or not AIPG wished to advise the State Board in the examinations for Geological Engineering, Geophysical Engineering, and Assaying. After some discussion on this, the Committee decided that the Geological and Geophysical Engineering disciplines lie mostly in the engineering fields of practice, with geology and geophysics playing a supportive and secondary role to the engineering aspects. We therefore believe that these disciplines should be examined by qualified engineers rather than geologists and geophysicists. Similarly, we do not feel qualified to advise the Board on the examination of assayers.

Considering the situation further, the Advisory Committee debated at some length regarding various professional disciplines for which AIPG is qualified to develop examination criteria. As you are aware, the geologic profession covers many specialties and fields of practice related to the earth sciences, as shown on the attached list. However, from a practical standpoint, mostly determined by the number of practitioners in Arizona, we believe that AIPG is qualified to review and develop examinations for geologists, hydrologists, and geophysicists. The majority of applicants for registration in the earth sciences (exclusive of geological or geophysical engineers) should fall within these categories. We anticipate that relatively few applicants will not come under one or more of these classifications. We do, however, recognize the great diversity of geologic practice, and will recommend ways of compensating for this diversity further on in this letter.

The Advisory Committee does not recommend establishing separate categories of registration for hydrologists or geophysicists. We believe that such professionals can be adequately represented through registration as geologists, since their basic field of practice is very closely related to, and dependent upon, a thorough knowledge of geologic principles. While some may disagree with this position, the practical aspects of expanding the number of categories for registration, as well as developing and administering a qualifying examination process for such categories in view of the small number of professionals involved, do not at this time warrant additional registration categories. We believe that registration of such persons as geologists will adequately serve the needs of the public. However, the Board should be aware that some persons who work in various professional areas related to geology feel strongly about being called geologists; the national leadership of AIPG is presently polling the members to see whether or not the term geoscientist would be more generally acceptable.

The Advisory Committee next considered the role of the examination process in relation to the registration of geologists. It is our opinion that the examination process has been deficient in the past in determining the competence of geologists to be registered. We do, however, recognize the difficulty of preparing an adequate examination, especially one which will treat all geologists (and all diverse fields of geologic practice) fairly. Our intent here is to recommend ways in which geologists of many diverse areas of expertise can be examined fairly and equitably, and if thereby demonstrated to be competent, registered.

We believe that all four parts of the geologist examination should be thoroughly reviewed and some changes made in the way certain parts are oriented.

The Geologist-in-Training portion of the exam (Parts 1 and 2) is designed to test the competence of an applicant at the Bachelor's level of education, with no practical experience of significance other than what has been learned as an undergraduate. We believe that all questions in Parts 1 and 2 should reflect this level. Previously, some questions in Parts 1 and 2 have required knowledge beyond the Bachelor's level. We recommend that in future examinations the questions be restricted to those which a recent graduate would be able to answer. We also recommend that these questions be relevant to practical applications of the geologic profession.

The Professional Geologist portion of the examination (Parts 3 and 4) is essentially designed to test applicants with a Bachelor's degree (or equivalent experience) plus 4 years of applied experience. While for the most part this portion of the examination meets that objective, there have been past difficulties with Part 4. This was due mainly to having a rather narrow selection of specialized problems available. The limitation of having to choose one out of three specialized problems is simply not a realistic test of competence due to the very diverse fields of practice that geologists follow. To put it more plainly, having to select and solve a technically difficult problem related to petroleum geology, hydrology, copper mining, or some other specialty is not a fair test of those geologists who have either



specialized in other fields of the profession or who have not specialized in any field but are competent in many areas, none of which may be represented by the choice of problems given in Part 4. We believe that the solution of a geologic problem is a valid part of testing for competency, but the problems provided must be such that a geologist with the requisite education and experience can select and solve a problem regardless of what his field of practice has been previously. This problem can be eliminated with relatively little difficulty, simply by supplying additional choices of problems with a more universal application to geologic principles.

We consider the above points regarding the geologist examination process to be essential to improving the registration process for our profession.

Turning now to the actual content of the examination, we suggest the following descriptions for each part. While this does not match the format used in the examples provided by your office, we believe that it will be more meaningful and useful to those geologists who are required to take the examination in the future.

#### Parts 1 and 2

Parts 1 and 2 will test the applicant at the level of the Bachelor's degree in geology. Each part will consist of short essay questions and geologic problems that a recent graduate with relatively little practical experience should be able to answer. The questions and problems will stress the practical application of geologic principles that a beginning geologist would be expected to know prior to working in any general field of professional practice. Questions related to the geology of Arizona will be included. A selection of questions and problems will be provided, of which a certain number must be answered. Subjects from which questions and problems will be drawn include the following:

Physical geology	Stratigraphy and sedimentology
Historical geology	Geomorphology
Mineralogy	Geophysics
Petrography	Hydrology
Petrology	Structural geology
Economic geology	Field geology
Invertebrate paleontology	

#### Parts 3 and 4

Parts 3 and 4 will test the applicant at the level of the Bachelor's degree in geology (or equivalent experience) plus 4 years of applied practice. Part 3 will consist of essay questions and geologic problems of a practical nature. Such questions and problems will require



04961

a basic understanding and knowledge of geologic principles tested for in Parts 1 and 2, but will also require the application of professional experience and judgment to questions relevant to the general profession. Questions related to the geology of Arizona, both general and specific, will be included. Questions related to various fields of practice such as hydrology, geophysics, petroleum geology, economic geology, etc. will also be included. A selection of questions and problems will be provided, of which a certain number must be answered.

Part 4 will consist of a problem of a geologic nature which must be solved through the combined use of geologic principles and practical experience. A selection of problems will be provided, of which the applicant must choose and solve one. Each problem will consist of a series of questions and lesser problems that relate to an overall geologic situation which will be described in some detail. Some problems will consist of situations related to specific fields of geologic practice such as hydrology, geophysics, petroleum geology, etc. Other problems will be of a more general nature, such as structural geology, geologic hazards, or mineral exploration and evaluation techniques. The range of geologic problems provided for selection should be adequate to cover most of the fields of practice in the geologic and related professions.

We hope that the above guidelines will assist the State Board of Registration in improving the examination process for geologists in Arizona. The membership of AIPG is prepared to supply questions as described above should the Board so desire. Such questions are presently being collected by the Advisory Committee from a number of sources; those which we would submit will be rewritten by the Committee, then kept strictly confidential. We will make a strong effort to gather questions of relevance from practicing geologists throughout the State. However, our ability to supply a large number of such questions is rather limited. We strongly recommend that the Board also make an effort to obtain questions from the geologic staff of all branches of the Arizona University System. We believe that this could provide a substantial file of excellent questions and problems.

One final matter which requires our comment is related to the registration of geologic applicants without examination. While we understand that this is a primary responsibility of the Board of Registration, we wish to make our recommendations known to the Board.

There are presently a number of unquestionably competent, even prominent in some cases, geologists residing in Arizona who would like to become registered, but do not want to spend time relearning textbook material simply to pass the examination. Within certain limits we support this position, and recommend that the Board make allowance for the registration of geologists without examination on the basis of education and experience, to be evaluated from the standpoint of each individual. Under this policy, a geologist with a good education and perhaps as little as 10 years of impressive geologic experience might qualify for registration without examination. We believe that this policy would be highly successful in registering qualified geologists, with no adverse effects on either the general public or the geologic profession.

We recognize that acceptance of this policy by the Board would place an undue burden on the ability of the Board to thoroughly evaluate the qualifications of each individual applicant. Therefore, should the Board so desire, the AIPG Advisory Committee is prepared to screen all applicants for geologic registration and make appropriate recommendations to the Board. Also, if the Board so wishes, this committee would be willing to conduct oral examinations of geologic applicants for whom the Board might have some reservations about registering without written examination. On the basis of the variety of geologic expertise and years of experience represented by the members of this committee, we believe that we can adequately evaluate such applicants.

We appreciate the opportunity to assist the Board of Registration in any way we can, and offer our full cooperation and assistance in the future. We also appreciate the opportunity taken here to present our views on improving the registration process in Arizona. Should you have any questions regarding this letter, please feel free to contact this committee.

Very truly yours,

*James W. Furlow*

James W. Furlow  
Committee Chairman,  
AIPG Advisory Committee

JWF/lt

Attachment

AIPG Advisory Committee Members:

- Edward C. Dapples
- Theodore H. Eyde
- James W. Furlow
- Joseph F. Rominger
- Joseph E. Shearer

State mapping  
 Paleontology  
 Mineral resources  
 Historical geology  
 Engineering geology  
 Coastal geology  
 Soils  
 Oil exploration  
 Gas production  
 Gas reserves  
 Gas storage  
 General geology  
 Hydrogeology  
 Geological survey  
 Geomorphology  
 Geophysical interpretation  
 Geological logging  
 Geothermal exploration  
 Glacial geology  
 Gravity  
 Ground vibration  
 Ground water  
 Mining water contamination

LIST OF FIELDS OF PRACTICE IN GEOLOGY

(Compiled by National Headquarters of AIPG)

- |                           |                            |
|---------------------------|----------------------------|
| Aggregate sources         | Diatoms                    |
| Airborne geophysics       | Disposal wells             |
| Alluvial deposits         | Drainage                   |
| Applied geochemistry      | Drilling supervision       |
| Applied geology           | Earth sciences             |
| Applied geophysics        | Earthquakes                |
| Applied micropaleontology | Ecology                    |
| Applied mineralogy        | Economic geology           |
| Applied stratigraphy      | Education                  |
| Appraisals                | Electromagnetics           |
| Aqueous geochemistry      | Energy resources           |
| Aquifers                  | Environmental geochemistry |
| Areal geology             | Environmental geology      |
| Base metals geophysics    | Evaporites                 |
| Base metals               | Exploration                |
| Basement geology          | Exploration geochemistry   |
| Basin studies             | Exploration geology        |
| Bauxite                   | Exploration geophysics     |
| Bio-lithostratigraphy     | Ferrous metals             |
| Biostratigraphy           | Field geology              |
| Blasting seismology       | Field mapping              |
| Blast vibrations          | Fluorspar                  |
| Borehole testing          | Fluvial processes          |
| Carbonates                | Forensic geology           |
| Carbonate exploration     | Formation evaluation       |
| Carbonate petrography     | Fossil fuels               |
| Carbonate sedimentology   | Fuels                      |
| Carbonate stratigraphy    | Gas exploration            |
| Clastic sedimentation     | Gas production             |
| Clay mineralogy           | Gas reserves               |
| Coal development          | Gas storage                |
| Coal economics            | General geology            |
| Coal exploration          | Geohydrology               |
| Coal gasification         | Geologic hazards           |
| Coal geology              | Geomechanics               |
| Coastal geology           | Geomorphology              |
| Coastal processes         | Geophysical interpretation |
| Computer geology          | Geophysical logging        |
| Concrete petrology        | Geothermal exploration     |
| Construction materials    | Glacial geology            |
| Copper exploration        | Gravity                    |
| Dam construction          | Ground vibration           |
| Depositional systems      | Ground water               |
| Development geology       | Ground water contamination |

Ground water geochemistry  
 Ground water geology  
 Ground water hydrology

Hard metal exploration  
 Hard mineral exploration  
 Hard rock geology  
 Helium exploration  
 Highway geology  
 Hydrogeology  
 Hydrology

Igneous petrology  
 Image interpretation  
 Industrial geology  
 Industrial minerals  
 Industrial seismology  
 Invertebrate paleontology  
 Investment analysis  
 Iron ores

Leasable minerals  
 Leasing  
 Lignite exploration  
 Limestone economics  
 Limnology

Magnetics  
 Marine geology  
 Marine geophysics  
 Marine mining  
 Metal extraction  
 Metal mining  
 Metallic minerals  
 Metallogensis  
 Metallurgy  
 Metals exploration  
 Metamorphic petrology  
 Micropaleontology  
 Mine development  
 Mine management  
 Mineral appraisals  
 Mineral development  
 Mineral evaluation  
 Mineral exploration  
 Mineral production  
 Mineral valuation  
 Mineral wastes  
 Mineralogy  
 Mining geology  
 Mining geophysics

Natural gas  
 Natural gas storage  
 Nonferrous metals  
 Nonferrous minerals  
 Nonmetallic minerals

Oceanography  
 Oil & gas conservation  
 Oil & gas development  
 Oil & gas exploration  
 Oil & gas production  
 Oil shale  
 Ore deposits  
 Ore deposits evaluation  
 Ore microscopy  
 Organic geochemistry

Paleoecology  
 Paleontology  
 Palynology  
 Petrography  
 Petroleum development  
 Petroleum evaluation  
 Petroleum exploitation  
 Petroleum exploration  
 Petroleum geochemistry  
 Petroleum geology  
 Petroleum geophysics  
 Petroleum production  
 Petrology  
 Phosphates  
 Photogeology  
 Planktonic microfossils  
 Pleistocene geology  
 Potash  
 Property evaluation  
 Prospect evaluation  
 Prospect origination

Radioactive wastes  
 Refractory raw materials  
 Regional geology  
 Regional mapping  
 Regional structure  
 Regulations  
 Remote sensing  
 Research  
 Reserve estimation  
 Reservoir analysis  
 Reservoir evaluation  
 Reservoir geology

Resources  
Risk analysis

Water quality  
Water well design  
Well log analysis  
Well logging

Salt domes  
Secondary recovery  
Sedimentary petrology  
Sedimentation  
Sedimentology  
Seismic data processing  
Seismic exploration  
Seismic interpretation  
Seismology  
Shallow geophysics  
Soil science  
Soil stratigraphy  
Solution mining  
Solution problems  
Speleology  
Spills  
Stability studies  
Statistics  
Stratigraphic geophysics  
Stratigraphy  
Structural geology  
Subsidence  
Subsurface development  
Subsurface geology  
Subsurface resources  
Sulphur exploration  
Surface faulting  
Surface geology

Tar sands  
Tax appraisals  
Teaching  
Tectonics  
Tunnels

Underground storage  
Uranium exploration  
Urban geology

Volcanic stratigraphy  
Volcaniclastics  
Volcanology

Waste disposal  
Water  
Water chemistry  
Water pollution  
Water resources

*[Faint background text and signatures]*

DEPARTMENT OF ADMINISTRATION  
PERSONNEL DIVISION

04966

STATE OF ARIZONA



1831 WEST JEFFERSON  
PHOENIX, ARIZONA 85007

BRUCE BABBITT, GOVERNOR  
ROBERT C. DICKESON, DIRECTOR  
RICHARD RABAGO,  
ASSISTANT DIRECTOR

DATE: 2/23/81

M E M O R A N D U M

TO: Agency Heads & Personnel Managers  
FROM: Richard Rabago *R. Rabago*  
SUBJECT: Amendments to Rules

The Personnel Board has filed the attached proposals for public hearing and possible adoption at the February 26, 1981 meeting. Comments may be addressed to the Personnel Board, Room 809, Capitol, West Wing, 1700 West Washington, Phoenix, Arizona 85007 or made verbally at the public hearing. Copies of written comments addressed to the Rules Analyst, State Personnel, 1831 West Jefferson, Phoenix, Arizona 85007 will be appreciated.

Approved by:

*Robert C. Dickeson*  
Robert C. Dickeson, Director

Date

Attachment





## ARIZONA STATE PERSONNEL BOARD

Pursuant to A.R.S. 41-782 the Arizona State Personnel Board hereby amends the following Rule:

## R2-5-01. Definitions

The following words and phrases used in these Rules have the defined meanings hereinafter set forth unless otherwise clearly indicated in the context.

1 through 56. No change

57 through 66. Reserved

67 "VOLUNTEER" means any person who donates his services to a state agency without remuneration in any form.

SUMMARY: The proposed amendment is submitted to define a person who is involved in a program established in R2-5-02.

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## ARIZONA STATE PERSONNEL BOARD

Pursuant to A.R.S. 41-782 the Arizona State Personnel Board hereby amends the following Rule:

R2-5-02. Scope of responsibility

A. through P. No change

Q. Use of volunteers in State Service agencies: The Assistant Director shall establish procedures for the use of volunteers in State Service agencies.

Survey - How many  
what do they do  
under what conditions

Annual Spring Western Zone Meeting

SUMMARY: The proposed amendment is submitted to authorize the Assistant Director for Personnel to set forth guidelines and procedures for the use of volunteers in various agencies.

U.S. Forest Service  
Personnel Management Service  
P. O. Box 11743  
Salt Lake City, Utah 84147

(801) 534-2100 - Salt Lake  
(801) 775-8177 - Provo

January 13, 1981

The location for registration of Engineers and Land Surveyors is now planned to be the hotel for the 1981 Western Zone Meeting. In consultation with our Western Zone Vice President we are pleased to announce that your agency is invited to attend the meeting to be held at the [unclear] in the heart of downtown Salt Lake City, Utah.

The purpose of this letter is to request you to reserve the dates on [unclear]. In addition, you will find attached a detailed outline of the registration program that is being put together for our subject.

We will provide detailed information concerning registration hotel arrangements and the agenda program on or about March 7, 1981. In the meantime, feel free to contact us directly if you have any questions.

Sincerely,

*Glenn M. [unclear]*  
Glenn M. [unclear], Director  
1981 Western Zone Meeting



Salt Lake City, Utah

*Annual Spring Western Zone Meeting*  
 NATIONAL COUNCIL OF ENGINEERING EXAMINERS

*May 3 - 5, 1981*

G. Reed Marchant, P. E.  
 c/o Kennecott Minerals Company  
 P. O. Box 11248  
 Salt Lake City, Utah 84147

(801) 534-8389 - Business  
 (801) 295-8177 - Residence

January 19, 1981

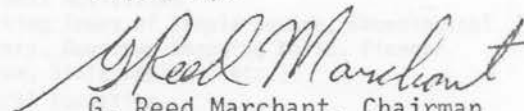
Gentlemen:

The Utah Committee for Registration of Engineers and Land Surveyors has been chosen to be the host for the 1981 Western Zone Meeting. In cooperation with our Western Zone Vice President we are pleased to invite you and your spouse to attend the meeting to be held at the historic Hotel Utah in the heart of downtown Salt Lake City, Utah, May 3 - 5, 1981.

The purpose of this letter is to remind you to reserve the dates on your calendar. In addition, you will find attached a detailed outline of the outstanding program that is being put together for our mutual benefit.

You will receive detailed information concerning registration hotel reservations and the spouse program on or about March 7, 1981. In the interim, please feel free to contact me directly if you have any questions or comments.

Sincerely,

  
 G. Reed Marchant, Chairman  
 1981 Western Zone Meeting

GRM/st

60<sup>th</sup> Anniversary 1920-1980

SERVING THE FIFTY STATE AND FOUR OTHER LEGAL JURISDICTIONS OF ENGINEERING AND LAND SURVEYING REGISTRATION  
 MORTON S. FINE, P. E., L. S., EXECUTIVE DIRECTOR



Salt Lake City, Utah

Annual Spring Western Zone Meeting  
NATIONAL COUNCIL OF ENGINEERING EXAMINERS

114972

May 3 - 5, 1981

TENTATIVE AGENDA

General Chairman  
Henry Steinbrugge  
NCEE, Vice President  
Oregon

Host Chairman  
G. Reed Marchant  
Secretary, Utah Board

Sunday, May 3, 1981

4:00 p.m. - 6:30 p.m.  
6:00 p.m. - 7:00 p.m.  
Evening

Registration  
Reception  
Open

Monday, May 4, 1981

7:30 a.m.  
8:30 a.m.  
12:00 Noon  
1:00 p.m.  
5:00 p.m.  
6:00 p.m.  
7:00 p.m.

Registration  
Opening Session  
Luncheon  
Business Session  
Adjourn Business Session  
Reception  
Annual Banquet and Program

Tuesday, May 5, 1981

8:30 a.m.  
12:00 Noon

Business Session  
Adjourn Zone Meeting

TENTATIVE SPOUSE AGENDA

Sunday, May 3, 1981

4:00 p.m. - 6:00  
6:00 p.m. - 7:00

Registration/Hospitality Room  
General Reception

Monday, May 4, 1981

9:00 a.m. - 10:00 a.m.  
10:00 a.m. - 12:00 Noon  
1:00 p.m. - 2:30 p.m.  
2:30 p.m. - 5:00 p.m.

Continental Breakfast  
Optional Activities - Hospitality Room  
(Visiting, Shopping, Walking Tours)  
Luncheon/Historic Lion House  
(Authentic Pioneer Food and Decor)  
Optional Activities  
(Walking Tours of Temple Square, Geneological  
Library, Downtown Shopping Malls, Pioneer  
Museum, State Capitol, etc.)  
General Reception  
General Banquet and Program

Tuesday, May 5, 1981

9:00 a.m. - 10:00 a.m.  
10:00 a.m. - 12:00 Noon

Contental Breakfast/Hospitality Room  
Hospitality-Optional Activities

60<sup>th</sup> Anniversary 1920-1980

SERVING THE FIFTY STATE AND FOUR OTHER LEGAL JURISDICTIONS OF ENGINEERING AND LAND SURVEYING REGISTRATION  
MORTON S. FINE, P. E., L. S., EXECUTIVE DIRECTOR





Salt Lake City, Utah

May 3 - 5, 1981

PROFESSIONAL PROGRAM:

ETHICS & LAW ENFORCEMENT WORKSHOP  
(Half Day Session)

ETHICS: Ethical Decision-Making...Ethical Opinions and Problems...  
Case Studies in Engineering and Land Surveying Ethics...  
Professional Codes... Examples of Recent Code Revisions...  
Frustrations of Ethical Double-Binding Situations...What should  
Code of Ethics Contain...Role of Engineering Schools...Business  
Etiquette...Harassment By Department of Justice and Sunset  
Reviews...Can Ethics and Professionalism Be Taught At The College  
Level...etc.

Speakers: Dr. Martha B. Montgomery, Associate Professor of  
Philosophy and Head, Department of Humanities and  
Communications, Drexel University

Dr. D. Allan Firmage, P.E., Professor of Civil  
Engineering, Brigham Young University

LAW ENFORCEMENT: NCEE's Investigation and Enforcement Guidelines...  
Statutory Authority and Responsibility...Enforcement Programs...  
Source and Forms of Complaints...Handling of Non-Registrant Offenders...  
Investigative Procedures...Hearings...Penalties...Due Process...  
Results Of Disciplinary Actions...Public Information...Harassment  
By Sunset Reviewers...Standards Of Professional Conduct...etc.

Speakers: John T. Merrifield, P.E., Oregon, Consulting Engineer,  
Vice Chairman, NCEE Law Enforcement Committee and  
Chairman, Oregon Board's Law Enforcement Committee

Rodrigo J. Gomez, P.E., Arizona, Consulting Engineer,  
Member NCEE Law Enforcement Committee and Past  
Chairman, Arizona Registration Board

NATIONAL NCEE OFFICERS

REGISTRATION DEVELOPMENTS AND TRENDS AT THE NATIONAL LEVEL:

Speakers: Eugene N. Bechamps, P.E., Florida, President, NCEE  
Albert T. Kersich, P.E., Montana, President-Elect, NCEE  
Morton S. Fine, P.E., L.S., Executive Director, NCEE

NCEE's EXAMINATION PROCESS

MODIFIED ANGOFF METHOD: Newly adopted minimum passing standard for the  
Fundamentals of Engineering Examination

A TASK ANALYSIS OF LICENSED ENGINEER: An update status report of the year  
long study by the National Evaluation Services, Inc. concerning the future  
of the Principles and Practice of Engineering Examination

LAND SURVEYING: The new examination and scoring method for the Fundamentals  
and the Principles and Practice of Land Surveying will be discussed

Speaker: William E. Carew, P. E., Delaware, Consulting Engineer,  
Chairman, NCEE Uniform Examinations and Qualifications  
for Professional Engineers Committee

UTAH PRESENTATION

ENVIRONMENTAL AND ECONOMIC IMPACT: The environmental and economic impact  
on the western states as a result of national activities in the areas  
of energy development and national defense will be discussed. This  
will be a one and one-half hour session prepared under the direction  
of the Utah Committee for Registration of Professional Engineers and  
Land Surveyors. The speaker(s) will be announced later.

60<sup>th</sup> Anniversary 1920-1980



Salt Lake City, Utah

Annual Spring Western Zone Meeting

NATIONAL COUNCIL OF ENGINEERING EXAMINERS 1974

May 3 - 5, 1981

TENTATIVE AGENDA

General Chairman
Henry Steinbrugge
NCEE, Vice President
Oregon

Host Chairman
G. Reed Marchant
Secretary, Utah Board

Sunday, May 3, 1981

4:00 p.m. - 6:30 p.m. Registration
6:00 p.m. - 7:00 p.m. Reception
Evening Open

Monday, May 4, 1981

7:30 a.m. Registration
8:30 a.m. Opening Session
12:00 Noon Luncheon
1:00 p.m. Business Session
5:00 p.m. Adjourn Business Session
6:00 p.m. Reception
7:00 p.m. Annual Banquet and Program

Tuesday, May 5, 1981

8:30 a.m. Business Session
12:00 Noon Adjourn Zone Meeting

TENTATIVE SPOUSE AGENDA

Sunday, May 3, 1981

4:00 p.m. - 6:00 Registration/Hospitality Room
6:00 p.m. - 7:00 General Reception

Monday, May 4, 1981

9:00 a.m. - 10:00 a.m. Continental Breakfast
10:00 a.m. - 12:00 Noon Optional Activities - Hospitality Room
(Visiting, Shopping, Walking Tours)
1:00 p.m. - 2:30 p.m. Luncheon/Historic Lion House
(Authentic Pioneer Food and Decor)
2:30 p.m. - 5:00 p.m. Optional Activities
(Walking Tours of Temple Square, Geneological
Library, Downtown Shopping Malls, Pioneer
Museum, State Capitol, etc.)
6:00 p.m. General Reception
7:00 p.m. General Banquet and Program

Tuesday, May 5, 1981

9:00 a.m. - 10:00 a.m. Contental Breakfast/Hospitality Room
10:00 a.m. - 12:00 Noon Hospitality-Optional Activities

60th Anniversary 1920-1980

SERVING THE FIFTY STATE AND FOUR OTHER LEGAL JURISDICTIONS OF ENGINEERING AND LAND SURVEYING REGISTRATION.
MORTON S. FINE, P. E., L. S., EXECUTIVE DIRECTOR



State of Arizona  
BOARD OF TECHNICAL REGISTRATION

04975

FOR ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, LANDSCAPE ARCHITECTS AND LAND SURVEYORS  
1645 W. JEFFERSON, SUITE 315 • PHOENIX, ARIZONA 85007 • (602) 255-4053

March 26, 1981

Mr. Donald L. Olson, Assistant Director  
Department of Administration, Finance  
Room 601, Capitol Tower, West Wing  
Phoenix, AZ 85007

Dear Mr. Olson:

At the Board's regular meeting of March 6, 1981, two members were authorized to attend the Western Zone Meeting of the National Council of Engineering Examiners, of which Arizona is a member.

The Arizona Board is closely allied to all other state boards through its participation in NCEE and the Western Zone. Standards of qualification for registration and of practice are upgraded and made more uniform through this participation. Common problems of licensing and enforcement are shared to the ultimate benefit of all boards. Uniform nationwide examinations are prepared and graded under the supervision of NCEE both to improve the quality and fairness of the examinations and to assist in establishing interstate acceptance of engineering and land surveying licenses.

The attendance of two Board members will assure that Arizona is fully and properly represented in NCEE affairs. One member, Rod Gomez is honored to participate in an Enforcement Seminar while Mr. Durand or Mr. Edson as his alternate will be primarily engaged in acquiring knowledge of the NCEE Committee system and making the contacts which enable his participation in those affairs which are vital to Arizona. The Board has budgeted funds to cover the cost of this representation.

The Out-of-State Travel Order and Encumbrance forms for Mr. Gomez and Mr. Durand are enclosed, and approval is requested.

Very truly yours,

F. Mark Edson  
Executive Director

FME:pw  
Enclosures

March 4, 1981

Mr. F. Mark Edson  
Executive Director  
Arizona State Board of  
Technical Registration  
1645 W. Jefferson, Suite 315  
Phoenix, Arizona 85007

RE: Waiver of Part I

Dear Mr. Edson;

I would like to appear before the Board at their next scheduled meeting in Tucson if at all possible.

I received the results of my last examination Monday, March 2, 1981. I achieved a 63% on Part I of my exam. I have successfully passed Parts 2, 3, & 4 and would like to apply for a waiver of Part I.

I have letters from some very fine Professional Engineers on file in your office as well as a record of my professional experience.

If the Board would consider a waiver of my Part I exam I will do my very best to uphold the rules and by-laws of the State Board of Technical Registration. I will strive to advance my professional field in every way I can.

Sincerely,



Robert T. Haines

ROBERT HAINES

PROJECT ELECTRICAL ENGINEER

Specialized Professional Competence

- Specification writing and Project estimating
- Parks & Recreation facilities
- High, medium & low voltage power distribution systems
- Lighting & power systems for industrial, commercial and residential buildings
- Uninterruptable power supply systems
- Construction inspection
- Power & energy studies and report writing

Representative Project Assignments

- Several Service Center & Fueling facilities, Phoenix, Arizona
- High Voltage Sewage Blowers & Distribution System, Phoenix, Arizona
- Several Tennis, Baseball, & Recreational Parks, Phoenix, Arizona
- Several Commercial Bldg. Systems, Phoenix, Arizona
- Uninterruptable Power Supply for Computer Facility, Phoenix, Arizona
- Warehouse & Fueling Facility, Phoenix, Arizona
- Communication Facility @ South Mountain, Phoenix, Arizona
- Sky Harbor Police Briefing Building & Parking Facility, Phoenix, Ariz
- Tempe Stadium Lighting & Power System, Tempe, Arizona
- Marcos DeNiza Handball Court Lighting & Power, Tempe, Arizona
- Tempe High School Handball Court Lighting & Power, Tempe, Arizona
- TWA Sky Harbor Expansion & Holdroom Facility, Phoenix, Arizona
- Ramada Inns Engineering Plan Review & Design Projects, Phoenix, Arizo
- Energy Study & Survey of Mountain Bell Facility, Phoenix, Arizona

Representative Project Assignments for Johannessen & Girand

- Chrysler Proving Grounds Facility, Morris Town, Arizona
- St. Johns Swimming Pools & Bathhouse, St. Johns, Arizona
- Hotel for Ramada Inn (7story), St. Paul, Minnesota
- Hotel for Granada Royale (5 story), Denver, Colorado
- Hughes Airwest Expansion at Sky Harbor, Phoenix, Arizona
- Red Feather Lodge (3 story), Grand Canyon, Arizona
- Senior High School & Housing, Oraibi, Arizona
- Tolleson High School Addition, Tolleson, Arizona
- PSA Facility at Sky Harbor, Phoenix, Arizona
- Air Cargo Facility at Sky Harbor, Phoenix, Arizona

Professional Background

- Degree in Electrical Engineering, Detroit, Michigan, 1963
- Registered Safety Engineer, Phoenix, Arizona, 1974
- Member of IAEEI, Arizona Chapter, 1973
- Journeyman Electrician Registration, Pontiac, Michigan, 1963
- Master Electrician Registration, Pontiac, Michigan, 1970
- Registered Electrical Contractor, Waterford, Michigan, 1971
- Entered the profession in 1964

FOR EVALUATION REVIEW

1. Foulks, Alan Lee	Mechanical Engr. #81-061	H/E-Pts. 1,2,3,4
2. Mock, Frederick	Electrical Engr. #80-861	H/E-Pts. 1,2,3,4
3. Rogers, Gary W.	Mechanical Engr. #81-043	H/E-Pts. 3 & 4
4. McCarthy, R.L.	Mechanical Engr. #81-023	H/E-Pts. 3 & 4
5. Rowland, James	Mechanical Engr. #81-031	H/E-Pts. 3 & 4
6. Sundling, Walter	Civil Engr. #80-835	H/E-Pts. 3 & 4
7. Cody, Debra Lynn	Civil Engr. #81-051	H/E-Pts. 3 & 4
8. Williams, Timothy	Civil Engr. #80-634	H/E-Pts. 3 & 4
9. Olbert, Bradford	Sanitary Engr. #81-039	H/E-Pts. 3 & 4
10. King, Linda	Electrical Engr. #81-021	H/E-Pts. 3 & 4
11. Lanmer, Jerome	Electrical Engr. #80-582	H/E-Pts. 3 & 4
12. DeSchepper, Rick	Electrical Engr. #81-006	H/E-Pts. 3 & 4
13. Stinson, Robert	Structural Engr. #81-040	H/E-Pts. 3,4,5 & 6
14. Greene, William	Structural Engr. #81-027	H/E-Pts. 5 & 6



STATE BOARD OF  
TECHNICAL REGISTRATION  
1645 W. JEFFERSON  
PHOENIX, ARIZONA

3-2-81

GENTLEMEN, DUE TO A SET OF CIRCUMSTANCES THAT HAVE DEVELOPED RECENTLY I AM HEREIN REQUESTING A WAIVER OF PARTS I AND II ON THE PROFESSIONAL ENGINEERS EXAM. I AM HERE SUBMITTING THE FOLLOWING REASONS FOR THIS REQUEST. FOR THE BETTER PART OF THE LAST (4) YEARS I HAVE BEEN WORKING IN SAUDI ARABIA ON SOME OF THE LARGEST ENGINEERING PROJECTS IMAGINABLE AND HAVE DREAMT OF OWNING MY OWN ENGINEERING FIRM, AND HAVE IN FACT GEARED MY LIFE TO THAT ULTIMATE GOAL THE PROBLEM IS THAT THE REGISTRANTS THAT I PLANNED THIS WITH HAVE FOR THE FOLLOWING REASONS NOT BEEN ABLE TO FULFILL THEIR OBLIGATIONS TO ME. ONE WENT BACK TO OREGON ONE ENDED UP WITH A PARTNERSHIP IN A SOIL FIRM AND ONE WENT TO SAUDI ARABIA WITH DRAMCO. I WISH THEM ALL THE LUCK IN THE WORLD BUT THAT DOESN'T ALLEVIATE THE PROBLEM OF 5 EMPLOYEES, AN OFFICE WITH A THREE YEAR LEASE, SURVEYING EQUIPMENT AND CLIENTS THAT I HAVE MADE LONG TERM COMMITMENTS TO ON THE BASIS OF HAVING A PARTNER WITH HIS REGISTRATION. I CANNOT

GO AGAINST REGULATIONS THAT I BELIEVE IN,  
NOR CAN I WITHSTAND LOSING MONEY THAT  
I WORKED EXTREMELY HARD FOR IN SAUDI. NOT TO  
MENTION THE SACRIFICE MY FAMILY MADE  
SO THAT WE COULD REALIZE MY GOAL.

I MUST THEREFORE APPEAL TO YOU  
THE PEOPLE THAT GOVERN THE OVERALL  
OPERATION OF MY CHOSEN PROFESSION AND  
PRAY FOR A FAVORABLE DECISION. SHOULD YOU  
RULE IN FAVOR OF THIS REQUEST I ASSURE YOU  
THAT I WILL BE A CREDIT TO THIS PROFESSION  
AND TO YOUR GOOD JUDGEMENT. THERE ARE THOSE  
THAT WOULD RECOMMEND OTHER QUESTIONABLE  
SOLUTIONS TO THIS PROBLEM, HOWEVER I FEEL THAT  
\$37,000 THAT I HAVE THUS FAR INVESTED AND MY  
PASSING OF THE PROFESSIONAL PORTION OF THE  
EXAM PROMPTS ME TO APPEAL TO YOU.

SINCERELY

RONALD C. HOTSON  
8055 N. 24<sup>TH</sup> AVE  
PHOENIX, ARIZONA

(85021)  


APPLICANT'S RECORD SHEET

049

Name Johnson, Fred Maynard

Age 41

No. 80-145

Date

Rec'd 2/25/80

Business Address  
 Consulting Geologist  
 Box 2162  
 Pueblo, CO 81301

Proficiency Requested

(branch)

- Architect
- Assayer
- Geologist
- Prof. Engr.
- Land Surveyor
- Landscape Architect

EDUCATION

No degree  
 Transcripts Verified  
 Accredited Program

- 1) 4 Years Univ. of Texas University BA Geology Degree 6/2/62 Date
- 2) \_\_\_\_\_

Remarks:

Credit 4 Yrs

EXPERIENCE (See Summary on Reverse Side)

15 1/2 Years + 4 Years (Education credit) = 19 1/2 Years (Education and Experience)

PROFESSIONAL QUALIFICATIONS

PRIOR Registration in State of Delaware by 3/1/77 Date

Written Examination \_\_\_\_\_ Hrs.  
 (See Exam Detail Reverse Side)

Education & Experience

Other Registrations  
 by \_\_\_\_\_  
 by \_\_\_\_\_  
 by \_\_\_\_\_

Seismic Qualification  
 Treatise to \_\_\_\_\_  
 Seminar Credit fr \_\_\_\_\_

IN-TRAINING QUALIFICATIONS (AZ Residents Only)

EXAMS AIT EIT GIT LAIT \_\_\_\_\_ Hrs.  
 State \_\_\_\_\_ Cert # \_\_\_\_\_ Date \_\_\_\_\_

XX NO Exams - Experience And/or Education only

REFERENCE SUMMARY 5 Reg. \_\_\_\_\_ Non-Reg.

1. Reg.-R. Swerdfeger/Feel he is a competent, honest professional & is worthy of registration.
2. Reg.-A. Still/Qualified to be registered.
3. Reg.-W. Heinrichs/Satisfactory.
4. Reg.-R. Lauth/Well qualified in ethics & technical competence.
5. Reg.-W. Ashwill/Will be a credit through ethical & professional work in his field of geology.

RECOMMENDATION

Personal Audience \_\_\_\_\_ Waived \_\_\_\_\_  Held 8/7/80 Date

Grant registration per ARS 123.A on Professional Qualifications shown above.  
 Grant registration per ARS 123.B on passing examinations or submitting Seismic  
 qualifications initiated below. Next examination series begins \_\_\_\_\_

Exam	1	A	2	B	3	4	5	6	Seismic
Exam		A		B					

Deny registration per ARS 123.C for \_\_\_\_\_ Lack of \_\_\_\_\_ yrs. satisfactory experience.  
 \_\_\_\_\_ Failure to complete requirements of Board.

Dir 8/6/80  
 Committee W. S. York Board Confirmation \_\_\_\_\_  
 Date 8/7/80 Date \_\_\_\_\_ Minute Pg. \_\_\_\_\_

Professional registration as \_\_\_\_\_ on \_\_\_\_\_ (Date)  
 \_\_\_\_\_, and assigned registration no. \_\_\_\_\_

In training

Professional

NCARB EXAMS

Exam G Date \_\_\_\_\_

36 Hr. C, D, E, F, G, H, I.

20 Hr. Equivalency A, B, C, D, E.

20 Hr. Qualifying A, B, C, D, E.

8 Hr. Qualifying A, B, C, D.

16 Hr. Professional I, II, III, IV.

12 Hr. Professional A (Design)

III-CLARB EXAMS

Date \_\_\_\_\_

20 Hr. UNE A, B, C, D,

\_\_\_\_\_ Hr.

IV - STATE EXAMS

\_\_\_\_\_ Hr.

\_\_\_\_\_ Hr.

NCEE EXAMS

8 Hr. Fundamentals of Engrg. AM, PM.

8 Hr. Principals & Practice PE Branch AM, PM.

8 Hr. LS Fundamentals AM, PM.

4 Hr. LS Principals, Practice AM,

V - NO EXAMS

XX Education and Experience

\_\_\_\_\_ Other

RESUME QUALIFICATION

MESCAB State

Exam G After Dec., 65 Yes No

Prof. Exam after 1974 Yes No

Seminar - State Date \_\_\_\_\_

Treatise filed w/ \_\_\_\_\_ State \_\_\_\_\_ Date \_\_\_\_\_

Treatise req'd by Arizona Rec'd \_\_\_\_\_ Apprv'd \_\_\_\_\_ Date \_\_\_\_\_ Date \_\_\_\_\_

- 64-4/66: Tucson, AZ/Heinrichs Geoexploration/Explor. Geol. & Geophysicist/Exploration crew
- 66-1/67: Humboldt, AZ/Shattuck Denn Min. Corp./Mine Geologist/In chg. of all underground production & exploration geology in a 1000 t.p.d., volcanogenic, complex base metal sulfide mine
- 67-9/68: Ouray, CO/Idarado Mine/Mine Geologist/In chg. of underground production & exploration geology in a 1600 t.p.d., complex base metal sulfide mine.
- 68-7/71: Silverton, CO/Dixilyn Corp./Chief Geol./In chg. of production geology & exploration.
- 71-date: Durango, CO/Consulting Geologist/offering svcs. in proj. mgmt., minerals exploration, mining geology, mineral appraisals, geochem., geophysics, engrg. geol., hydrogeology & environ. geology.
- 75-4/75PT Instructor of Geology at Ft. Lewis College, Durango, CO.

Final panel split - 2 - Register w/o Exam

1 - Hold for 3 & 4

STATE OF ARIZONA  
SUMMARY OF EXPENDITURES

February 28, 1981

Agency BOARD OF TECHNICAL REGISTRATION

Expenditure Classification	1980-81 BUDGET	Current Expenditures			Plus Encumbered Amounts	Total For Year	Unavailable * Funds	Available Funds
		TOTAL Prev. Mo.	This Mo.	TOTAL To Date				
FTE POSITIONS . . . . .	5.5	4.5	4.5		5.5			
PERSONAL SERVICES . . . . .	91,300	48,023	7,052	55,075	32,353	87,428	9,860	(5,988)
EMPLOYEE RELATED EXPENDITURES.	15,804	7,771	1,036	8,807	4,484	13,291	1,888	625
PROFESSIONAL AND OUTSIDE SERV.	37,300	11,389	17,265	28,654	21,680	50,334	-	(13,034)
TRAVEL - STATE . . . . .	8,200	3,408	123	3,531	1,890	5,421		2,779
TRAVEL - OUT OF STATE . . . . .	5,000	1,569	-	1,569	1,352	2,921		2,079
OTHER OPERATING EXPENDITURES.	47,196	31,947	1,941	33,888	7,559	41,447		5,749
EQUIPMENT. . . . .	6,000	2,849	-	2,849	3,000	5,849	-	151
TOTAL	210,800	106,956	27,417	134,373	72,318	206,691	11,748	(7,639)

\* THESE FUNDS ARE NOT AVAILABLE PENDING  
CLASSIFICATION OF VACANCY SAVINGS STATUTES  
REGARDING REVERSION TO THE TECH REG FUND



SUMMARY OF POSITIONS, PERSONAL SERVICES AND EMPLOYEE RELATED EXPENDITURES

February 28, 1981

1980  
1981

Agency BOARD OF TECHNICAL REGISTRATION

Expenditure Classification	1980-81 BUDGET	Current Expenditures			Plus Encumbered Amounts	Total For Year	Unavailable Funds	Available Funds
		TOTAL Prev. Mo.	This Mo.	TOTAL To Date				
Boards and Commission . . . . .	-	2,970	390	3,360	1,620	4,980	-	4,980
Regular Positions . . . . .	90,800	41,149	5,920	47,069	30,733	77,802	9,860	3,138
Overtime . . . . .	500	503	116	619	-	619	-	(119)
Temporary Help . . . . .	-	3,401	626	4,027	-	4,027	-	4,027
TOTAL	91,300	48,023	7,052	55,075	32,353	87,428	9,860	(5,988)

EMPLOYEE RELATED EXPENDITURES

MULTIPLIER <u>.1731%</u>	15,804	7,771	1,036	8,807	4,484	13,291	1,888	625
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PROFESSIONAL AND OUTSIDE SERVICES

14984

AGENCY BOARD OF TECHNICAL REGISTRATION

February 28, 1981

Expenditure Classification	1980-81 BUDGET	Current Expenditures			Plus Encumbered Amounts	Total For Year	Unavailable Funds	Available Funds
		TOTAL Prev. Mo.	This Mo.	TOTAL To Date				
<u>Registration Program</u>								
Data Processing & Microfilming of record systems	2,700	1,244	10,634	11,878	3,200	15,078	-	(12,378)
Cost of Examinations: . . . . .	31,600							
Facilities & Proctors. . . . .		2,511	130	2,641	2,076	4,717		
Materials . . . . .		4,944	5,614	10,558	14,000	24,558		(319)
Grading . . . . .		53	887	940	1,704	2,644		
<u>Enforcement Program</u>								
Investigation & Hearings. . . . .	3,000	2,637	-	2,637	700	3,337		(337)
<b>TOTAL PROFESSIONAL &amp; OUTSIDE SERVICES. . . . .</b>	<b>37,300</b>	<b>11,389</b>	<b>17,265</b>	<b>28,654</b>	<b>21,680</b>	<b>50,334</b>		<b>(13,034)</b>

11085

TRAVEL

FEBRUARY 28, 1981

Agency BOARD OF TECHNICAL REGISTRATION

TRAVEL - STATE	1980-81 BUDGET	Current Expenditures			Plus Encumbered Amounts	Total For Year	Unavailable Funds	Available Funds
		TOTAL Prev. Mo.	This Mo.	TOTAL To Date				
Mileage & Vehicle Expense . . .	5,000	1,007	57	1,064	795	1,859		3,141
Subsistence . . . . .	2,100	1,250	30	1,280	795	2,075		24
Public Transportation . . . . .	900	976	36	1,012	300	1,312		(412)
Other Travel Expenses . . . . .	200	175	-	175	-	175		25
<b>TOTAL TRAVEL-STATE</b>	<b>8,200</b>	<b>3,408</b>	<b>123</b>	<b>3,531</b>	<b>1,890</b>	<b>5,421</b>		<b>2,779</b>
<b>TOTAL VEHICLE MILES:</b>								
Privately Owned . . . . .	27,000							
Motor Pool Vehicles . . . . .								
<b>TRAVEL - OUT OF STATE</b>								
Mileage & Vehicle Expense . . .		6	-	6	50	56		(56)
Subsistence . . . . .	1,800	600	-	600	600	1,200		600
Public Transportation . . . . .	2,200	763	-	793	702	1,495		705
Other Travel Expenses . . . . .	1,000	200	-	200	-	200		800
<b>TOTAL TRAVEL-OUT OF STATE</b>	<b>5,000</b>	<b>1,569</b>	<b>-</b>	<b>1,569</b>	<b>1,352</b>	<b>2,921</b>		<b>2,079</b>

Expenditure Classification	1980-81 BUDGET	Current Expenditures			Encumbered Amounts	TOTAL For Year	Unavailable Funds	Available Funds
		TOTAL Prev. Mo.	This Mo.	TOTAL To Date				
Rent. . . . .	8,100	8,458	-	8,458		8,458		(358)
Utilities : . . . . .								
All Other Occupancy. . . . .	200	40	-	40		40		160
Maintenance & Repairs . . . . .	500	505	20	525		525		(25)
Office & Library Supplies . . . . .	6,200	3,052	126	3,178		3,178		3,022
Data Processing Supplies. . . . .	300	41	-	41		41		259
Printing & Photographs . . . . .	10,196	10,085	412	10,497	3,000	13,497		(5,997)
Postage & Mailing Costs. . . . .	9,600	3,760	317	4,077	2,000	6,077		3,523
Telephone Service . . . . .	3,000	1,325	221	1,546	900	2,446		554
All Other Comm & Ship. Expen. . . . .	400	71	271	342	-	342		58
Reprod. Equip. Lease/Purch. . . . .	1,100	772	97	869	291	1,160		(60)
All Other Equipment Rental . . . . .	200	212	21	233	-	233		(33)
All Other Equip. Lease/Purch . . . . .		-	456	456	1,368	1,824		(1,824)
Organizational Dues . . . . .	3,800	2,035	-	2,035	-	2,035		1,765
Insurance. . . . .	400	500	-	500	-	500		(100)
Education & Training. . . . .	2,000	91	-	91	-	91		1,909
(Revolving Fund)	1,200	1,000	-	1,000	-	1,000		200
All Other Operating Expenses. . . . .								
TOTAL OTHER OPERATING	47,196	31,947	1,941	33,888	7,559	41,447		5,749

H. C. Durand  
REGISTERED LAND SURVEYOR

0498

808 S. Catalina  
Tucson, Arizona 85711  
Phone: (602) 745-0043

March 3, 1981

State of Arizona  
Board of Technical Registration  
1645 West Jefferson, Suite 315  
Phoenix, Arizona 85007

RE: Application for Land Surveyor Reg. #80-491  
Applicant - William G. Pool

Gentlemen:

This is the rationale answering Mr. Pool's request for reconsideration as afforded by R4-30-2 in the Rules and By-Laws of the State Board of Technical Registration, (Hereinafter referred to as State Board) and to amplify the Evaluation Committee's recommendation to deny Mr. Pool's application for Land Surveyor Registration.

A careful study of Mr. Pool's application has been made and the following deficiencies have been determined:

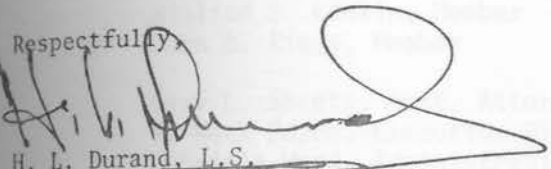
1. Little mention is made of actual land surveying as defined in the Code of the State Board under Art. 1, 32-101 Para. B. Subsection 15. (Definition of Land Surveyor).
2. Further, Mr. Pool has not demonstrated experience or knowledge toward ability in making decisions in land surveying to resolve or form an opinion of a problem with respect to the physical or written title of a parcel of real property.
3. Mr. Pool indicates no concerted experience in work within the rectangular system of surveys and the Rules and Regulations applicable therein.
4. Further, Mr. Pool, in his letter of February 22, 1981, refers to R4-30-03. Because of this, I studied his application keeping this reference in mind. My conclusion is that Mr. Pool can only be credited with a questionable total of ten (10) months of experience in charge, with respect to land surveying.

In view of the above, Mr. Pool has not furnished a manifest whereby he can be allowed the opportunity to take the land surveyor examination or any part thereof.

State of Arizona  
Board of Technical Registration  
March 3, 1981  
Page Two

Mr. Pool can only be credited with a total of 22 months of experience in land surveying, including 12 months of education where 6 years are required.

The above comments have been made with due consideration and, as a supplement to the recommendation of the Evaluation Committee, keeping in mind the preservation of the public peace, health, safety and welfare, a rehearing is impracticable and not in the public interest.

Respectfully,  
  
H. L. Durand, L.S.  
Member of Board  
Chairman Evaluation Committee

HLD:ew

MINUTES OF SPECIAL MEETING  
ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

APRIL 17, 1981

A special meeting of the State Board of Technical Registration was held at the Board offices, Suite 315, 1645 West Jefferson Street, Phoenix, AZ, on Friday, April 17, 1981. The meeting was called to order by Chairman Wayne O. Earley at 2:30 p.m.

PRESENT: Wayne O. Earley, Chairman  
Charles E. O'Bannon, Vice-Chairman  
Hector C. Durand, Member  
Patricia J. Finley, Member  
William S. Gookin, Member  
John B. Riggs, Member

Gary L. Sheets, Asst. Attorney General  
F. Mark Edson, Executive Director  
Patricia Wood, Administrative Secretary

Those present constituted a quorum.

1. PUBLIC HEARING ON RULES CHANGES

MOTION: It was moved by Dr. O'Bannon and seconded by Mr. Riggs that the Board adopt the rules as presented by the Rules Committee. Motion carried. (Appearing on Pages 4991 - 5006).

2. RECOMMENDATIONS OF ENFORCEMENT COMMITTEE

MOTION: It was moved by Mr. Durand and seconded by Ms. Finley that the recommendations of the Enforcement Committee be adopted. (Appearing on Pages 5007 - 5008). Motion carried.

Bruce Rosenhan, the Enforcement Officer and Assistant to the Director, distributed a sample of a Consent Agreement involved in enforcement matters for the Board's review. Mr. Rosenhan also reviewed with the Board the Compliance Conference Outline (Shown on Minute Book Page 5012), noting this form is to serve as a guideline in making certain the Board represents the correct enforcement policy.

Mr. Gary Sheets, Asst. Attorney General, review the Willdan Associates case.

MOTION: It was moved by Dr. O'Bannon and seconded by Ms. Finley that the Decision (by Consent)(shown on Minute Book Page 5014) be accepted by the Board of Technical with the requirement that the name be typed at the bottom of the document and that the Chairman be authorized to sign for the Board. Motion carried.



Mr. Rosenhan indicated a meeting is planned for next month on enforcement matters and four more Consent Agreements would be ready for action by the Board by May 15.

Don Reville of the Executive Budget Office and Marilyn Spies of the Joint Legislative Budget Committee were present at today's meeting to observe the proceedings. Mr. Reville indicated his willingness to bring in samples of budget forms and review these with the Board. Mr. Reville indicated each agency will receive an instruction package, and he would like to review this with the Board, that because of the interest the Board has shown on budget matters, he would make a special effort to review any questions they may have in the preparation of the 1981-82 budget. These forms would be out from the Executive Budget office sometime in May and are due back in the Budget Office completed in September. Mr. Reville noted that the Budget Analyst's recommendations bear some weight in the legislative recommendations. Mr. Reville assured the Board he would provide the tools necessary in the preparation of the budget, and if the Board has provided all the necessary justification, then there should be no problem in the adoption by the Legislature of the requested budget figure for 1981-82.

The Chairman thanked Mr. Reville and Ms. Spies for attending today's meeting and requested they attend the June 5, 1981, quarterly Board meeting and in the interim the Budget Instruction forms would have been received for review at the June 6th meeting.

- 3. Mr. Hector Durand presented a copy of a paper presented to the Arizona Professional Land Surveyors Society to be read into the record. (Minute Book Pages 5017 - 5026)

4. ADJOURNMENT

MOTION: It was moved by Ms. Finley and seconded by Dr. O'Bannon that the meeting be adjourned. Motion carried.

Adjournment: 3:30 p.m.

5/27/81/pw

## BOARD OF TECHNICAL REGISTRATION

Proposed Rule

Pursuant to A.R.S. § 32-108, the State Board of Technical Registration proposes to adopt rules similar in substance, terms and conditions to the wording of the following:

1 Part 1 - Section R4-30-01, Applications, General, is repealed and  
2 a new section R4-30-01 is adopted to read as follows:

3 R4-30-01 Applications, General (REF. A.R.S. § 32-123)

4 A. THE BOARD MEETS REGULARLY IN MARCH, JUNE, SEPTEMBER, AND  
5 DECEMBER TO CONSIDER APPLICATIONS FOR REGISTRATION.

6 1) APPLICATIONS MUST BE COMPLETE PRIOR TO EVALUATION, INCLUDING  
7 ALL INFORMATION REQUIRED BY THE APPLICATION FORM, ANY TRAN-  
8 SCRIPTS REQUIRED AS PART OF THE TOTAL EXPERIENCE CREDIT,  
9 COMPLETE RESPONSES FROM ALL REQUIRED REFERENCES, SIGNED  
10 PHOTOGRAPHS, AFFIDAVIT, AND AUTHORIZATION & RELEASE FORM.  
11 APPROXIMATELY 6-8 WEEKS ARE REQUIRED TO COMPLETE THE DOCU-  
12 MENTATION AFTER AN APPLICATION IS FILED.

13 2) THE EXECUTIVE DIRECTOR AND QUALIFIED STAFF WILL EVALUATE EACH  
14 COMPLETED APPLICATION AND PREPARE THEIR FINDING FOR REVIEW  
15 AND RECOMMENDATION OF AN EVALUATION COMMITTEE OF THE BOARD.

16 3) APPLICANTS WILL BE INFORMED OF STAFF FINDING AT SUCH TIME  
17 AS THEY ARE COMPLETED PRIOR TO REVIEW BY THE BOARD'S EVALUATION  
18 COMMITTEE AND MAY REQUEST IN WRITING A PERSONAL AUDIENCE WITH  
19 THE EVALUATION COMMITTEE TO DISCUSS STAFF FINDING OR TO PRESENT  
20 ADDITIONAL DOCUMENTATION.

21 IN THIS SAME COMMUNICATION, APPLICANTS WILL RECEIVE THE BOARD'S  
22 OPEN BOOK CODE & RULES EXAMINATION (R4-30-15) TO COMPLETE BY  
23 CORRESPONDENCE AND RETURN TO THE BOARD WITH A SIGNED AFFIDAVIT

1 ATTESTING THEY HAVE READ AND UNDERSTAND ARS 32-CHAPTER 1, 101-  
2 145 AND THE BOARDS RULES AND BY-LAWS, GOVERNING THE PRACTICE OF  
3 ARCHITECTURE, ASSAYING, ENGINEERING, GEOLOGY, LANDSCAPE ARCHI-  
4 TECTURE, AND LAND SURVEYING IN ARIZONA.

5 4) APPLICANTS MUST RETURN THE CODE & RULES EXAMINATION TO THE  
6 BOARD AND RECEIVE A PASSING 70% SCORE BEFORE BEING SCHEDULED  
7 ON AN AGENDA OF THE BOARD'S EVALUATION COMMITTEES.

8 5) EVALUATION COMMITTEES OF THE BOARD MEET IN JANUARY, FEBRUARY,  
9 APRIL, MAY, JULY, AUGUST, OCTOBER AND NOVEMBER TO EVALUATE  
10 APPLICATIONS AND PREPARE RECOMMENDATIONS FOR BOARD APPROVAL  
11 ON THE AGENDA OF REGULAR MEETINGS OF THE BOARD IN MARCH, JUNE,  
12 SEPTEMBER & DECEMBER.

13 B. ARCHITECTURAL APPLICANTS REGISTERED IN OTHER STATES BY 36  
14 HOUR EXAMINATION PRIOR TO 1965 IN STATES OTHER THAN ALASKA, CALIFORNIA,  
15 COLORADO, GUAM, HAWAII, IDAHO, NEVADA, NEW MEXICO, OREGON, UTAH, AND  
16 WASHINGTON, OR BY EDUCATION AND EXPERIENCE ONLY, IN ANY STATE OR  
17 FOREIGN COUNTRY WILL BE REQUIRED TO SUBMIT A "TREATISE ON LATERAL  
18 FORCES" IN ACCORD WITH THE BOARD'S INSTRUCTIONS, OR SUCCESSFULLY  
19 COMPLETE A SEISMIC SEMINAR GIVEN BY AUTHORITIES APPROVED BY THE BOARD.

20 C. IT IS THE APPLICANT'S RESPONSIBILITY TO SECURE TRANSCRIPTS OF  
21 HIS RECORDS FROM ALL COLLEGES ATTENDED. THE APPLICANT MUST ARRANGE  
22 TO HAVE THESE TRANSCRIPTS SENT DIRECTLY FROM THE COLLEGE REGISTRAR  
23 TO THE OFFICE OF THE BOARD. THE APPLICANT'S SOLE RESPONSIBILITY  
24 REGARDING REFERENCES IS THAT OF FURNISHING A SUITABLE LIST. THE  
25 OFFICE OF THE BOARD WILL REQUEST SUCH INFORMATION AS IT DEEMS NECESSARY  
26 FROM THE REFERENCES SUBMITTED BY THE APPLICANT. REFERENCES SUBMITTED  
27 BY AN APPLICANT SHOULD INCLUDE AT LEAST THREE PERSONS REGISTERED IN THE

1 SAME GENERAL FIELD OF EXPERIENCE AS THE APPLICANT AND TWO REFERENCES  
2 WHO ARE NOW, OR HAVE BEEN, THE THE APPLICANT'S IMMEDIATE SUPERVISORS.  
3 OTHER PERSONS WILL BE EVALUATED AS REFERENCES ONLY IF THEIR RESPONSI-  
4 BILITY AND THEIR ABILITY TO EVALUATE THE TECHNICAL COMPETENCE OF  
5 THE APPLICANT CAN BE ESTABLISHED BY THE BOARD.

6 D. ENGINEERS DESIRING REGISTRATION IN MORE THAN ONE BRANCH MUST  
7 SUBMIT A SEPARATE APPLICATION FOR EACH BRANCH AND PAY THE REGULAR  
8 FEE WITH EACH APPLICATION. REGISTRATION IN ENGINEERING WILL BE  
9 GRANTED IN THE MAJOR BRANCHES OF ENGINEERING INCLUDED IN THE COLLEGE  
10 CURRICULA APPROVED BY THE BOARD. MAJOR BRANCHES OF ENGINEERING  
11 PRESENTLY RECOGNIZED BY THE BOARD ARE: AERONAUTICAL, AGRICULTURAL,  
12 CHEMICAL, CIVIL, ELECTRICAL, GEOLOGICAL, GEOPHYSICAL, INDUSTRIAL,  
13 MECHANICAL, METALLURGICAL, MINING, NUCLEAR, PETROLEUM, SANITARY AND  
14 STRUCTURAL.

15 E. WHEN AN APPLICATION FOR REGISTRATION IS DENIED THE APPLICANTS  
16 WILL BE SO NOTIFIED OF THE BOARD'S ACTION. NO RE-APPLICATION WILL  
17 BE ACCEPTED UNTIL ONE YEAR HAS ELAPSED FROM THE DATE OF THE FORMAL  
18 BOARD ACTION DENYING THE ORIGINAL APPLICATION. WHEN APPLICATIONS  
19 FOR REGISTRATION ARE DENIED ON INITIAL BOARD ACTION, THE BOARD  
20 DEEMS THAT PROCESSING COSTS EXCEED THE COST OF APPLICATION FEE,  
21 AND NO REFUNDS WILL BE ALLOWED.

22 F. APPLICANTS WHOSE APPLICATIONS FOR REGISTRATION ARE DENIED  
23 SUBSEQUENT TO INITIAL BOARD ACTION WILL RECEIVE NO REFUND OF THEIR  
24 APPLICATION FEES.

25 G. NO APPLICATION MADE ON ANY OTHER THAN A PRINTED FORM ISSUED  
26 BY THE BOARD WILL BE ACCEPTED OR CONSIDERED BY THE BOARD, EXCEPT THAT,  
27 IN THE EVENT ANY PRINTED FORM ISSUED BY THE BOARD DOES NOT CONTAIN

1 SUFFICIENT SPACE FOR THE NECESSARY EVIDENCE TO BE SUBMITTED, THE  
2 APPLICANT MAY ATTACH ADDITIONAL SHEETS TO SAID FORM TO ANY DESIRED  
3 EXTENT, BUT SUCH ATTACHED SHEETS MUST BE OF THE SAME SIZE AS THE  
4 PRINTED FORM AND SHALL BE SECURELY ATTACHED THERETO.

5 H. AN APPLICANT MAY REVISE OR WITHDRAW HIS APPLICATION ON  
6 WRITTEN REQUEST TO THE BOARD. NO REFUND OF APPLICATION FEES WILL BE  
7 ALLOWED BY THE BOARD AFTER PROCESSING HAS BEGUN BY ASSIGNMENT OF AN APPLI-  
8 CATION NUMBER. WITHDRAWN APPLICATIONS WILL BE PROCESSED TO THE BOARD WITH  
9 RECOMMENDATIONS TO CLOSE THE APPLICATION FILE WITHOUT PREJUDICE.

10 I. AN APPLICANT FOR ANY OF THE IN-TRAINING PROGRAMS SHALL, IN ORDER  
11 TO BE ADMITTED TO THE IN-TRAINING EXAMINATIONS, SUBMIT AN APPLICATION  
12 TO THE BOARD ON PRESCRIBED FORM FOR APPROVAL BY THE EXECUTIVE DIRECTOR.  
13 IT WILL BE NECESSARY FOR AN APPLICANT TO PAY THE APPLICATION FEE RE-  
14 QUIRED UNDER R4-30-27 FOR CERTIFICATION AS AN ARCHITECT-IN-TRAINING,  
15 ENGINEER-IN-TRAINING, GEOLOGIST-IN-TRAINING, OR LANDSCAPE ARCHITECT-IN-  
16 TRAINING AS WELL AS THE EXAMINATION FEES STATED IN R4-30-28.

17 Part 2. Section R4-30-13, Examination Rules, is repealed and a new  
18 section R4-30-13 is adopted to read as follows:

19 R4-30-13 Examination Rules

20 A. APPLICATIONS FOR REGISTRATION TO PRACTICE FROM APPLICANTS EXPECTING  
21 TO QUALIFY FOR PROFESSIONAL EXAMINATIONS MUST BE RECEIVED BY THE BOARD  
22 60 DAYS PRIOR TO THE NEXT EXAMINATION DATE. APPLICATIONS RECEIVED  
23 AFTER THE 60 DAY CUT-OFF WILL BE PROCESSED FOR THE EXAMINATION DATE  
24 FOLLOWING THE NEXT EXAMINATION DATE.

25 B. APPLICANTS FOR REGISTRATION ARE PERMITTED TO TAKE WRITTEN EXAMINA-  
26 TIONS ONLY BY ACTION OF THE BOARD. THIS ACTION ENTITLES THEM  
27 TO TAKE EXAMINATIONS ON THE FIRST DATE FOR WHICH THE EXAMINATIONS ARE

1 SCHEDULED. IF APPLICANTS FAIL TO ACHIEVE A PASSING GRADE THEY MAY  
2 BE RE-EXAMINED ON THE NEXT SCHEDULED EXAMINATION DATE. APPLICANTS  
3 WHO ARE UNABLE TO TAKE EXAMINATIONS OR RE-EXAMINATIONS ON THE FIRST  
4 DATE FOR WHICH THEY ARE SCHEDULED MAY APPLY FOR A POSTPONEMENT AS  
5 PROVIDED BY PARAGRAPH E OF THIS RULE.

6 C. THE BOARD SHALL SELECT & PUBLISH THE EXAMINATION DATES AND  
7 LOCATIONS AT LEAST ONE HUNDRED TWENTY DAYS PRIOR TO THE DATE SELECTED.  
8 EACH APPLICANT WILL BE NOTIFIED IN WRITING WHEN THE BOARD HAS DETERMINED  
9 THAT HE IS ELIGIBLE TO TAKE THE FIRST SCHEDULED EXAMINATION OR RE-  
10 EXAMINATION. THE NOTIFICATION WILL STATE THE DATE BY WHICH THE EXAMINA-  
11 TION FEE MUST BE RECEIVED.

12 D. NOTIFICATION OF THE TIME AND PLACE FOR THE EXAMINATION WILL BE  
13 SENT TO THE APPLICANT AFTER RECEIVING THE FEE. THE FEE WILL BE  
14 FORFEITED IF THE APPLICANT DOES NOT TAKE THE FIRST SCHEDULED EXAMINA-  
15 TION OR RE-EXAMINATION UNLESS AN EXTENSION HAS BEEN GRANTED. NO  
16 REFUNDS WILL BE ALLOWED.

17 E. WHEN AN APPLICANT HAS PAID THE PROPER FEE, BUT IS UNABLE TO  
18 TAKE THE FIRST SCHEDULED EXAMINATION OR RE-EXAMINATION, HE MAY REQUEST  
19 BY LETTER PRIOR TO THE EXAMINATION DATE, THAT HE BE PERMITTED TO TAKE  
20 THE NEXT SCHEDULED EXAMINATION. A REQUEST FOR AN EXTENSION BEYOND  
21 THE NEXT SCHEDULED EXAMINATION WILL NOT BE CONSIDERED EXCEPT FOR  
22 DRASTIC PERSONAL REASONS SUCH AS SUBSTANTIATED SERIOUS ILLNESS, OR  
23 ABSENCE FROM THE COUNTRY.

24 F. THE FOLLOWING ITEMS ARE INCLUDED AS REASONS FOR WHICH AN APPLICATION  
25 FOR REGISTRATION MAY BE DENIED BY THE BOARD.

26 1. IF THE EXAMINATION OR RE-EXAMINATION FEE IS NOT RECEIVED ON OR  
27 BEFORE THE SPECIFIED DATE.



1 2. IF THE APPLICANT DOES NOT APPEAR FOR THE FIRST SCHEDULED EXAMINA-  
2 TION OR RE-EXAMINATION UNLESS AN EXTENSION HAS BEEN GRANTED.

3 3. IF THE APPLICANT DOES NOT APPEAR FOR THE EXAMINATION OR FOR THE  
4 RE-EXAMINATION TO WHICH HE WAS GRANTED AN EXTENSION.

5 G. AN APPLICANT WHO FAILS TO ACHIEVE A PASSING GRADE ON A RE-EXAMINA-  
6 TION MAY REPEAT THE RE-EXAMINATION UNDER THIS RULE EXCEPT THAT APPLICANTS,  
7 WHO AFTER 3 RE-EXAMINATION ATTEMPTS FAIL TO ACHIEVE A PASSING SCORE,  
8 WILL BE DENIED WITH PREJUDICE. AN APPLICANT WHO HAS FAILED THE EXAMINA-  
9 TION 4 TIMES MAY RE-APPLY NO EARLIER THAN 2 YEARS AFTER THE DATE OF THE  
10 DENIAL BY BOARD ACTION AND MUST RETAKE AND PASS ALL REQUIRED PARTS OF  
11 THE EXAMINATIONS.

12 H. APPLICANTS DESIRING REVIEW OF THEIR FAILING EXAMINATION SHALL FILE  
13 A WRITTEN REQUEST WITH THE BOARD WITHIN 30 DAYS AFTER RECEIVING NOTIFI-  
14 CATION OF THEIR FAILING GRADE. THE BOARD WILL VERIFY THAT SCORING IS  
15 WITHOUT ERROR, AND APPLICANTS MAY REVIEW THEIR EXAMINATION PERFORMANCE  
16 BY PRIOR ARRANGEMENT WITH THE STAFF. THE BOARD WILL NOT REGRADE A TEST.

17 Part 3. Section R4-30-14, General Rules, Applicants for Architect-  
18 in-Training, Engineer-in-Training, Geologist-in-Training and Landscape  
19 Architect-in-Training is repealed and a new section R4-30-14 is adopted  
20 to read as follows:

21 R4-30-14 General rules, applicants for architect-in-training, engineer-  
22 in-training, geologist-in-training, landscape architect-in-training

23 A. ENGINEER-IN-TRAINING AND GEOLOGIST-IN-TRAINING EXAMINATIONS WILL  
24 BE GIVEN TWICE ANNUALLY IN APRIL & OCTOBER AND IN-TRAINING EXAMINATIONS  
25 FOR ARCHITECTS AND LANDSCAPE ARCHITECTS WILL BE GIVEN ONCE ANNUALLY  
26 IN JUNE. EXAMINATIONS WILL BE GIVEN AT A TIME AND PLACE DESIGNATED BY  
27 THE BOARD. APPLICATIONS FOR IN-TRAINING EXAMINATIONS AND CERTIFICATION

1 MUST BE RECEIVED IN THE OFFICE OF THE BOARD AT LEAST FORTY-FIVE DAYS  
2 PRIOR TO THE SCHEDULED DATE OF EXAMINATION.

3 B. APPLICANTS FOR ENGINEER-IN-TRAINING AND GEOLOGIST-IN-TRAINING  
4 WILL BE PERMITTED TO TAKE THE IN-TRAINING EXAMINATION IN THE FINAL  
5 YEAR OF THEIR ACCREDITED BACCALAUREATE DEGREE PROGRAM BUT IN NO EVENT  
6 WILL THEIR INTERN PERIOD START UNTIL THEY HAVE COMPLETED THE REQUIRE-  
7 MENTS FOR GRADUATION. APPLICANTS WITHOUT COLLEGE DEGREES DESIRING TO  
8 ENTER THE IN-TRAINING PROGRAM WILL BE PERMITTED TO TAKE THE EXAMINATION  
9 PRIOR TO THE COMPLETION OF FIVE YEARS OF SATISFACTORY EDUCATION AND  
10 EXPERIENCE BY SUBMITTING AN APPLICATION BEARING THE APPROVAL OF A  
11 REGISTERED ENGINEER OR GEOLOGIST, RESPECTIVELY, AND THEIR INTERN PERIOD  
12 WILL NOT BEGIN UNTIL THE FIVE YEARS OF SATISFACTORY EDUCATION AND EXPER-  
13 IENCE REQUIREMENT HAS BEEN MET. THE IN-TRAINING APPLICANT WHO IS A  
14 STUDENT PURSUING A CURRICULUM WHICH WILL LEAD TO AN ENGINEERING OR  
15 GEOLOGY DEGREE SHALL HAVE HIS APPLICATION BLANK CERTIFIED BY HIS DEAN  
16 OR FACULTY ADVISOR.

17 C. APPLICANTS FOR ARCHITECT-IN-TRAINING AND LANDSCAPE ARCHITECT-IN-  
18 TRAINING WILL BE PERMITTED TO TAKE IN-TRAINING EXAMINATIONS AFTER  
19 GRADUATION IN AN ACCREDITED ARCHITECTURAL OR LANDSCAPE ARCHITECTURAL  
20 DEGREE PROGRAM AT A RECOGNIZED COLLEGE OR UNIVERSITY. GRADUATES FROM  
21 AN ACCREDITED SCHOOL MUST OBTAIN THE SIGNATURE OF THE DEAN OF THEIR  
22 COLLEGE ON THEIR IN-TRAINING APPLICATION FORM. APPLICANTS WITHOUT  
23 COLLEGE DEGREES FROM AN ACCREDITED SCHOOL DESIRING TO ENTER THE ARCHITECT-  
24 IN-TRAINING OR LANDSCAPE ARCHITECT-IN-TRAINING PROGRAM WILL BE PERMITTED  
25 TO APPLY AFTER SIX YEARS OF EDUCATION AND EXPERIENCE UNDER A REGISTERED  
26 ARCHITECT OR LANDSCAPE ARCHITECT, RESPECTIVELY, BY SUBMITTING AN APPLICATION  
27 TO THE BOARD BEARING THE APPROVAL AND SIGNATURE OF THE CURRENT EMPLOYER,

1 AND SUBMITTING A SYNOPSIS OF THEIR EDUCATION & EXPERIENCE BACKGROUND.  
2 EXAMINATIONS WILL BE GIVEN AT A TIME AND PLACE DESIGNATED BY THE BOARD.  
3 APPLICATIONS FOR THE IN-TRAINING EXAMINATION AND CERTIFICATION MUST BE  
4 RECEIVED IN THE OFFICE OF THE BOARD AT LEAST FORTY-FIVE DAYS PRIOR  
5 TO THE SCHEDULED DATE OF THE EXAMINATION.

6 Part 4. Section R4-30-15 Context of Written Examinations is amended  
7 to read as follows:

8 R4-30-15 Context of written examinations

9 A. All examinations may contain questions covering the Code of the  
10 State Board of Technical Registration and its published Code of Ethics.

11 A. THE BOARD'S EXAMINATION ON THE STATUTES (ARS 32-101 THRU 145), AND  
12 THE RULES AND BYLAWS OF THE STATE BOARD OF TECHNICAL REGISTRATION CONSISTS  
13 OF A MULTIPLE CHOICE EXAMINATION OF APPROXIMATELY 30 MINUTES DURATION,  
14 OPEN BOOK, TO BE COMPLETED BY CORRESPONDENCE.

- 15 B. No change
- 16 C. No change
- 17 D. No change
- 18 E. No change
- 19 F. No change
- 20 G. No change
- 21 H. No change
- 22 I. No change
- 23 J. No change
- 24 K. No change
- 25 L. No change

26 Part 5. Section R4-30-16 is repealed and a new section R4-30-16 is adopted  
27 to read as follows:

R4-30-16 REGISTRATION WITHOUT EXAMINATION

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A. AN APPLICANT WHO HAS ACHIEVED RECOGNIZED STANDING IN HIS PROFESSION MAY APPLY FOR REGISTRATION WITHOUT EXAMINATION. A PERSON APPLYING FOR REGISTRATION UNDER THIS RULE MUST COMPLETE A SENIOR ORAL EVALUATION AS PROVIDED IN SUBSECTION B, PAY THE FEE REQUIRED UNDER SECTION R4-30-28-A AND SATISFY THE FOLLOWING MINIMUM REQUIREMENTS:

1. EVIDENCE OF EXTENSIVE AND DIRECT INVOLVEMENT IN WORK IN WHICH SUBSTANTIAL KNOWLEDGE OF THE MATHEMATICAL AND NATURAL SCIENCES HAS BEEN APPLIED WITH PROFESSIONAL JUDGEMENT TO DEVELOP METHODS OR TECHNIQUES WHICH ECONOMICALLY AND EFFICIENTLY UTILIZE THE MATERIALS AND FORCES OF NATURE FOR THE BENEFIT OF MANKIND. THIS INCLUDES PERSONAL DECISIONS CONCERNING IMPORTANT TECHNICAL PROBLEMS BASED ON ACTUAL ANALYSIS AND DESIGN CONSIDERATIONS.
2. EVIDENCE OF PROGRESSIVELY INCREASED RESPONSIBILITY LEADING TO DIRECTION OF OUTSTANDING PROFESSIONAL WORK, RECOGNIZED BY COLLEAGUES, INCLUDING A DIVERSIFIED GROUP OF REGISTERED PROFESSIONAL PEERS BEYOND THE RANGE OF HIS IMMEDIATE ASSOCIATES. WHILE MINIMUM LENGTH OF PRACTICE IS SPECIFIED, LONGEVITY IN ITSELF OR THE COMPETENT PERFORMANCE OF WORK IN ROUTINE OR REPETITIVE TYPE OF ASSIGNMENTS SHALL NOT ALONE BE SUFFICIENT FOR THE PURPOSES OF THIS PROVISION.
3. OTHER EVIDENCE OF NOTEWORTHY PERSONAL CONTRIBUTIONS CONCERNING IMPORTANT WORK IN THE APPLICANT'S FIELD.
4. TWENTY YEARS OF DOCUMENTED PROFESSIONAL PRACTICE, OF WHICH AT LEAST TEN YEARS MUST INVOLVE DIRECT RESPONSIBILITY FOR OUTSTANDING WORK OR PROJECTS.
5. FOUR YEARS OF FORMAL EDUCATION AT THE COLLEGE OR UNIVERSITY LEVEL.
6. COMPLY WITH OTHER LEGAL REQUIREMENTS FOR REGISTRATION OTHER THAN

1 EXAMINATION.

2 THE APPLICANT SHALL PROVIDE DOCUMENTATION AND SUBMIT EXHIBITS AS  
3 REQUIRED BY THE BOARD OR ITS REVIEW COMMITTEE TO SATISFACTORILY DEMON-  
4 STRATE COMPLIANCE WITH THE ABOVE DESCRIBED REQUIREMENTS.

5 B. AN APPLICANT UNDER THIS RULE SHALL APPEAR BEFORE A REVIEW  
6 COMMITTEE OF THE BOARD FOR A SENIOR ORAL PROFESSIONAL EVALUATION AT A  
7 TIME AND PLACE DESIGNATED BY THE BOARD. THE ORAL EVALUATION WILL  
8 CONSIST OF A COMPREHENSIVE REVIEW OF THE APPLICANT'S CONTRIBUTIONS

9 IN HIS PROFESSIONAL FIELD USING THE CRITERIA DESCRIBED IN SUBSECTION  
10 A. IF DEEMED NECESSARY BY THE EVALUATION COMMITTEE, THE APPLICANT  
11 MAY BE REQUIRED TO PROVIDE ADDITIONAL DOCUMENTATION AND EXHIBITS IN  
12 SUPPORT OF HIS APPLICATION AND APPEAR FOR AN ADDITIONAL ORAL EVALUA-  
13 TION.

14 Part 6 - Section R4-30-17, Personal Audience is repealed, and  
15 a new section R4-30-17 is adopted to read as follows:

16 R4-30-17 Personal Audience

17 A PERSONAL AUDIENCE WITH AN EVALUATION COMMITTEE OF THE BOARD  
18 WILL BE SCHEDULED ON WRITTEN REQUEST OF THE APPLICANT, TO DISCUSS  
19 THE APPLICATION OR ANY OTHER ISSUE GERMAIN TO THE APPLICATION PRO-  
20 CESS. APPLICANTS WILL BE NOTIFIED OF THE TIME AND PLACE SET FOR  
21 THE PERSONAL AUDIENCE.

1 Part 7. Article 3, Fees, of Chapter 30, Title 4, Sections R4-30-27  
2 thru R4-30-31 is repealed, and a new Article 3 is adopted to read  
3 as follows:

4 ARTICLE 3, FEES

5 R4-30-27 APPLICATION FEES

6 THE FOLLOWING FEES SHALL ACCOMPANY AN APPLICATION FOR REGISTRATION  
7 FOR A CERTIFICATE:

8 1. FOR AN ARCHITECT, ASSAYER, ENGINEER, GEOLOGIST, LANDSCAPE  
9 ARCHITECT AND LAND SURVEYOR, WHO IS A BONA-FIDE RESIDENT OF ARIZONA,  
10 FIFTY DOLLARS.

11 2. FOR AN ARCHITECT, ASSAYER, ENGINEER, GEOLOGIST, LANDSCAPE ARCHI-  
12 TECT AND LAND SURVEYOR, WHO IS A LEGAL RESIDENT OF ANOTHER STATE,  
13 TERRITORY OR FOREIGN COUNTRY, ONE-HUNDRED DOLLARS.

14 3. ARCHITECT-IN-TRAINING, ENGINEER-IN-TRAINING, GEOLOGIST-IN-  
15 TRAINING AND LANDSCAPE ARCHITECT-IN-TRAINING, FIFTEEN DOLLARS.

16 R4-30-28 EXAMINATION FEES

17 THE FEES, PAYABLE IN ADVANCE FOR TAKING OR RETAKING THE EXAMINATIONS,  
18 OVER AND ABOVE AND EXCLUSIVE OF FEES REQUIRED WITH THE APPLICATIONS  
19 FOR REGISTRATION, SHALL BE AS FOLLOWS:

20 1. EXAMINATION FEES FOR IN-TRAINING AND PROFESSIONAL EXAMINATIONS  
21 SHALL BE AS FOLLOWS:

22 A. ARCHITECT EXAMINATIONS

23 IN-TRAINING

- 24 QUALIFYING EXAMINATION (NCARB)..... \$45.00
- 25 SEC. A - ARCHITECTURAL HISTORY - 2 HOURS
- 26 SEC. B - STRUCTURAL TECHNOLOGY - 3 HOURS
- 27 SEC. C - MATERIALS & METHODS OF CONSTRUCTION - 2 HOURS



1 SEC. D - ENVIRONMENTAL CONTROL SYSTEMS - 2 HOURS

2 (THIS EXAM IS PURCHASED AS A SINGLE EXAMINATION. THE FEE IF NOT  
3 DIVISIBLE IN PARTS.)

4 PROFESSIONAL

5 PROFESSIONAL EXAMINATION (NCARB)

6 SEC. A - SITE PLANNING & DESIGN - 12 HOURS - \$50.00

7 SEC. B - PROFESSIONAL EXAM - 16 HOURS - \$70.00

8 PART I - ENVIRONMENTAL ANALYSIS

9 PART II - ARCHITECTURAL PROGRAMMING

10 PART III - DESIGN & TECHNOLOGY

11 PART IV - CONSTRUCTION

12 (SECTION B IS PURCHASED AS A SINGLE EXAMINATION. THE FEE IS NOT  
13 DIVISIBLE IN PARTS.)

14 B. ENGINEER EXAMINATION

15 IN-TRAINING

16 FUNDAMENTALS OF ENGINEERING, NCEE, 8 HOURS .....\$25.00

17 PART 1 - AM, PART 2 - PM

18 PROFESSIONAL

19 PRINCIPALS & PRACTICE OF ENGINEERING, NCEE, 8 HOURS.....\$25.00

20 PART 3 - AM, PART 4 - PM

21 (THESE EXAMINATIONS ARE PURCHASED AS SINGLE EXAMINATIONS. THE FEES  
22 ARE NOT DIVISIBLE IN PARTS.)

23 OTHER PROFESSIONAL ENGINEERING EXAMINATIONS - ARIZONA

24 PRINCIPALS & PRACTICE OF ENGINEERING

25 GEOLOGICAL, 8 HOURS - PART 3.....\$15.00

26 PART 4.....\$15.00

27 GEOPHYSICAL, 8 HOURS - PART 3 .....\$15.00

1		PART 4 .....	\$15.00
2	HIGHWAY, 4 HOURS	- PART 4 .....	\$15.00
3	(HIGHWAY ENGINEERS STILL COMPLETING THE REQUIREMENTS OF THIS OLD		
4	CLASSIFICATION TAKE THE NCEE, CE PART 3 EXAM)		
5	STRUCTURAL, 8 HOURS	- PART 5 - LATERAL FORCE ANALYSIS & DESIGN..	\$15.00
6		PART 6 - STRUCTURAL ENGINEERING DESIGN....	\$15.00

C. GEOLOGIST EXAMINATION

IN-TRAINING

9	FUNDAMENTALS OF GEOLOGY, ARIZONA, 8 HOURS		
10	PART 1 - AM.....		\$15.00
11	PART 2 - PM .....		\$15.00

PROFESSIONAL

13	PRINCIPALS & PRACTICE OF GEOLOGY, ARIZONA, 8 HOURS		
14	PART 3 - APPLIED GEOLOGY .....		\$15.00
15	PART 4 - GEOLOGICAL PROBLEMS.....		\$15.00

D. LANDSCAPE ARCHITECT EXAMINATION

IN-TRAINING

18	UNIFORM NATIONAL EXAMINATION, CLARB		
19	SUBJECT A - HISTORY - 1 HOUR.....		\$20.00
20	SUBJECT C - DESIGN - 9 HOURS.....		\$45.00

PROFESSIONAL

22	UNIFORM NATIONAL EXAMINATION, CLARB		
23	SUBJECT B - PROFESSIONAL PRACTICE - 1 HOUR.....		\$20.00
24	SUBJECT D - DESIGN IMPLEMENTATION - 8 HOURS.....		\$45.00

E. LAND SURVEYORS EXAMINATION

IN-TRAINING

27	FUNDAMENTALS OF LAND SURVEYING, NCEE - 8 HOURS.....		
			\$25.00

1 PART 1 - AM

2 PART 2 - PM

3 (THIS EXAMINATION IS PURCHASED AS A SINGLE EXAM. THE FEE IS NOT  
4 DIVISIBLE IN PARTS.)

5 PROFESSIONAL

6 PART 3, PRINCIPALS & PRACTICE OF LAND SURVEYING, NCEE, 4 HOURS...\$20.00

7 PART 4, LEGAL PRINCIPALS OF LAND SURVEYING, ARIZONA, 4 HOURS....\$20.00

8 F. ASSAYER EXAMINATION, ARIZONA - 8 HOURS

9 PART 1 - AM, PART 2 - PM.....\$30.00

10 G. PERSONAL AUDIENCE.....NO CHARGE

11 CODES & RULES EXAMINATION.....NO CHARGE

12 2. OTHER QUALIFICATION FEES

13 A. SENIOR ORAL EVALUATION.....\$75.00

14 B. TREATISE ON LATERAL FORCES GRADING FEE.....\$30.00

15 R4-30-29 RENEWAL FEES

16 FOR RENEWAL OF A CERTIFICATE OF REGISTRATION, IF RECEIVED PRIOR TO  
17 THE EXPIRATION DATE, THE FOLLOWING FEES WILL BE REQUIRED:

18 1. TRIENNIAL RENEWAL AS AN ARCHITECT, ASSAYER, ENGINEER, GEOLOGIST,  
19 LANDSCAPE ARCHITECT, OR LAND SURVEYOR.....\$90.00

20 A. TRANSITION OF NEW REGISTRANT FROM BILLING DATE (REGISTRATION  
21 DATE PLUS SIX MONTHS PLUS OR MINUS, THE NEAREST END OF QUARTER DATE)  
22 TO THE REGISTRANTS ALPHA CLASS EXPIRATION DATE - TO BE CALCULATED AT  
23 THE RATE OF .....\$2.50/MONTH

24 ALPHA CLASS EXPIRATION DATES ARE AS FOLLOWS, BASED ON THE REGISTRANTS  
25 LAST NAME INITIAL AT THE TIME OF REGISTRATION:

<u>ALPHA CLASS</u>	<u>EXPIRATION DATE</u>
A-B	MARCH 31, 1984, 1987, 1990
C	JUNE 30, 1984; 1987, 1990
D-E	SEPT 30, 1981, 1984, 1987
F-G	DEC 31, 1981, 1984, 1987
H-I	MAR 31, 1982, 1985, 1988
J-K-L	JUNE 30, 1982, 1985, 1988
Mc-M-N	SEPT 30, 1982, 1985, 1988
O-P	DEC 31, 1982, 1985, 1988
Q-R	MAR 31, 1983, 1986, 1989
S	JUNE 30, 1983, 1986, 1989
T-U-V	SEPT 30, 1983, 1986, 1989
W-X-Y-Z	DEC 31, 1983, 1986, 1989

AFTER THE EXPIRATION DATE SHOWN ABOVE RENEWALS WILL BE FOR  
A THREE YEAR PERIOD.

2. RENEWAL OF IN-TRAINING CERTIFICATION.....NO CHARGE
3. RENEWAL OF REGISTRATION FOR REGISTRANTS QUALIFYING UNDER THE ELDERLY  
EXEMPTION.....NO CHARGE

THE BOARD WILL WAIVE RENEWAL FEES FOR REGISTRANTS WHO ARE RETIRED FROM  
ACTIVE PRACTICE AND WHO HAVE ATTAINED THE AGE OF 65 YEARS UNDER THE  
FOLLOWING DEFINITIONS. REGISTRANTS WHO QUALIFY MAY FILE AN APPLICATION  
FOR WAIVER AND SIGN AN AFFIDAVIT CERTIFYING THEIR ELDERLY QUALIFICATION.

A. RETIRED FROM ACTIVE PRACTICE MEANS THAT THE REGISTRANT IS NO LONGER  
PERFORMING PROFESSIONAL SERVICES FOR COMPENSATION NOR SEEKING EMPLOY-  
MENT, FROM HIS HOME OR AN ESTABLISHED PLACE OF BUSINESS THAT WOULD  
PROVIDE CONSULTING INCOME NOT EXCEEDING \$5,000.

THE ABOVE RULE APPLIES IRRESPECTIVE OF THE PLACE OF RESIDENCE (I.E.

1 A REGISTRANT RETIRED FROM BUSINESS IN ARIZONA, BUT STILL ACTIVE IN  
2 NEW YORK OR FLORIDA, IS NOT RETIRED UNDER THE RULE AND DOES NOT  
3 QUALIFY FOR THE FEE WAIVER.

4 B. "ATTAINED THE AGE OF 65 YEARS" MEANS THAT REGISTRANT WAS 65  
5 YEARS OF AGE PRIOR TO HIS LICENSE EXPIRATION DATE.

6 C. REGISTRANTS NOT IN GOOD STANDING AT THE TIME THIS STATUTE WENT  
7 INTO EFFECT FOR 1981 RENEWALS MAY QUALIFY BY PAYING DELINQUENT FEES  
8 AND FILING AN APPLICATION FOR WAIVER OF THE 1981 FEES IN ACCORD WITH  
9 THIS RULE.

10 4. PENALTY FOR DELINQUENT PAYMENT OF RENEWAL FEES.....\$15.00/YEAR  
11 (BASED ON A RENEWAL FEE OF 90.00) OR ANY FRACT  
OF A YEAR

12 5. THE BOARD WILL CANCEL CERTIFICATES OF REGISTRATION THAT HAVE  
13 REMAINED INVALID FOR THREE YEARS. A NEW APPLICATION MUST BE FILED  
14 FOR REINSTATEMENT WITH FEES IN ACCORD WITH RULE R4-30-27. IF THE  
15 BOARD RE-INSTATES THE LICENSE, THE ORIGINAL REGISTRATION NUMBER WILL  
16 BE RE-ASSIGNED.

17 R4-30-30 MISCELLANEOUS FEES FOR SERVICES

18	ANNUAL REPORT.....	\$1.00
19	NEW CERTIFICATES .....	\$3.50
20	COPIES, PER PAGE .....	\$.10
21	ALPHABETICAL ROSTER OF ACTIVE REGISTRANTS .....	\$4.50
22	NUMERICAL ROSTER OF REGISTRANTS .....	\$2.00



State of Arizona  
BOARD OF TECHNICAL REGISTRATION

FOR ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, LANDSCAPE ARCHITECTS AND LAND SURVEYORS  
1645 W. JEFFERSON, SUITE 315 • PHOENIX, ARIZONA 85007 • (602) 255-4053

MINUTES OF MEETING

PHOENIX ENFORCEMENT COMMITTEE

Arizona State Board of Technical Registration

April 17, 1981

A meeting of the Committee of the State Board of Technical Registration was held at the office of the Board, Room 315, Occupational Licensing Building, 1645 West Jefferson, Phoenix, Arizona, on Friday, April 17, 1981. The meeting was called to order by Chairman Wayne O. Earley at 9:15 a.m.

I. Present:

Members: Wayne O. Earley, Chairman  
Charles E. O'Bannon, Vice-Chairman  
Hector C. Durand, Member  
Patricia J. Finley, Member  
William S. Gookin, Member  
John B. Riggs, Member

Gary L. Sheets, Asst. Atty. General  
F. Mark Edson, Executive Director  
Bruce R. Rosenhan, Asst. Exec. Dir.

Guests:

Don Reville, Budget Analyst  
Marilyn Spies, Legis. Budget Analyst

Absent:

Jimmie R. Nunn, Secretary  
Silas C. Brown, Member  
Rod J. Gomez, Member

II. PROCEDURE FOR HANDLING COMPLAINTS

Revisions to the procedure for handling complaints was discussed and the revised procedure evolved as follows:

Proposed Procedure For Handling Complaints

1. Complaint is received by sworn complaint and affidavit, letter or telephone call with written followup, anonymous or identified communications. All complaints are confidential in nature.
2. Preinvestigation:
  - A. Advise party of complaint and request their response.
  - B. Other necessary field investigation to fill in gaps. Staff makes administrative decision to proceed to next step, refer



to other agency for lack of jurisdiction, or terminate where no basis is apparent.

3. A. On nontechnical matters - staff verify evidence by field investigation, where appropriate and prepare investigative reports with evidence attached.
- B. On nonregistrant matters referred to Board for authorization for Cease and Desist Letters.
- C. Prepares agenda for next Advisory Committee meeting.
- D. Informs parties of progress.
  
4. Complaint referred to Advisory Committee
  - A. Technical matter - refer to Technical Investigator, for investigation and report.
  - B. Committee reviews the file and:
    1. Close due to lack of adequate complaint; or
    2. Hears parties in informal hearing; or
    3. Refers matter of informal hearing to future meeting; or
    4. Refers matter for further investigation by staff; or
    5. Delineates findings and makes recommendations to the Board.
  - C. Staff informs parties of progress. Respondent: Consent Order or Decision By Consent, etc.
  
5. Board receives Advisory Committee Recommendation
  - A. The Board acts on Committee recommendations:
    1. Close the file; or
    2. Initiate Certificate of Compliance or Decision by Consent Agreement; or
    3. Initiate injunctive and/or misdemeanor action; or
    4. Refer back to Committee.
  - B. Staff informs parties of progress, initiates Board action and resolves problems through Compliance Conferences with Respondents.
  
6. Board received Consent Agreement for approval and signature, Certificate of Compliance or Cease and Desist letters for closing action.
  - A. Lacking acceptance of above document by Respondent, the Board initiates further proceedings:
    1. For Hearing; or
    2. Injunctive and/or misdemeanor actions.
  - B. Formal hearing - Set dates, provides parties with 30-day notice of hearing, hear testimony and act.
  - C. Followup letter monthly to Attorney General regarding pending actions of other agencies, i.e., Attorney General, Superior Court, County or City Attorneys, etc., copy to parties.
  
7. Staff closes file after Board Action.
  - A. Send letter to complaining party (if applicable) and Respondent.
    1. Both letters should advise parties of the disposition of the matter and what Board action was taken.
  - B. Report to the Board to show action was carried out and the matter was closed.
  - C. Mark all logs.
  - D. Notify all parties.
  - E. Take the Report Sheet from the case file and put it in the Registrant's file (where applicable).

- F. File nonregistrant reports in alpha history file.
- G. Maintain computer file (disciplinary code).

The Enforcement Committee recommends to the Board that the proposed procedure for handling complaints be accepted as revised.

### III. COMPLAINTS

- A. BTR vs. Jack Seitz - C23-79

MOTION - Dr. O'Bannon proposed the motion, seconded by Patricia Finley, that the Enforcement Committee recommend to the Board to keep the file open and send a letter of compliance to Mr. Seitz to refrain from becoming involved with his drafting business to the point that people may mistake his activities for that of an architect. The motion was passed.

- B. BTR vs. John Kimoto - C78-79

MOTION - Dr. O'Bannon made the motion, seconded by Patricia Finley, that the recommendations made by the staff as amended be accepted. The amendment will be as follows: It is recommended that Mr. Kimoto be advised by a letter of the situation as it exists with the complaint and further advise him to restrict his activities so as not to leave any doubt in the public's mind that he is practicing architecture. Further, it is suggested that the file be held in suspense until registration is complete, during which time any further complaints received may be dealt with more severely in that Mr. Kimoto is in the process of taking the State Board exams. Motion was carried.

- C. BTR vs. David L. Metz - C79-79

MOTION - A motion was made by Hector Durand, and seconded by Patricia Finley, that the Enforcement Committee adopt the staff recommendations in that Mr. Metz be served with a Notice of Violation strongly worded and quoting the law with the standard 15-day reply period, explaining his activities and his efforts to cease and desist doing architectural work. The motion was passed.

- D. BTR vs. Horkey & Associates, Inc. - C20-80

MOTION - The motion was made by Dr. O'Bannon, seconded by William Gookin, that this action be closed as recommended by staff. The motion was passed.

- E. BTR vs. Gene R. Fontes - C24-80

to  
Dr. Charles O'Bannon and Mr. William Gookin withdrew from discussion of this case citing conflict of interest.

MOTION - The motion was made by Hector Durand, seconded by John Riggs, that Mr. Fontes be directed to discontinue certifying drawings, that his seal be returned to the Board, and that he be served with a Notice of Violation. The motion was passed.

- F. BTR vs. Herbert Shipley - C26-80

MOTION - The motion was made by Hector Durand, seconded by Dr. Charles O'Bannon, that this case be referred to the Advisory Committee for further hearing and gather of evidence using the new procedure as a guideline. The motion was carried.

#### IV. NEW BUSINESS

- A. BTR vs. Gary L. Christman - C77-80

MOTION - The motion was made by Patricia Finley that this case be referred back to the Advisory Committee to investigate the incorporation of Mr. Christman's business and his association with Mr. McLaughlin, a registered land surveyor. The motion was seconded by Dr. O'Bannon.

- B. BTR vs. C.A. Berthot - C80-80

MOTION - The motion was made by Dr. O'Bannon, seconded by Hector Durand, that Mr. Berthot be served with a Notice of Violation advising him that his application may be in jeopardy should he continue to practice in this manner. The motion was passed.

- C. BTR vs. Don Hurst - C81-80

MOTION - A motion was made by Hector Durand, seconded by Dr. O'Bannon, that the case be closed because the Board has no jurisdiction in this matter. The motion was passed.

- D. BTR vs. Robert Russ - C83-80

MOTION - A motion was made by Dr. O'Bannon, seconded by Hector Durand, that Mr. Russ be sent a Notice of Violation and the file be closed. The motion passed.

- E. BTR vs. Howard W. Phillips

MOTION - A motion was made by Dr. O'Bannon, seconded by Hector Durand, that a Notice of Violation be sent to Mr. Phillips and that the case be closed. The motion passed.

- F. BTR vs. John T. Pela & Associates - C85-80

MOTION - A motion was made by Dr. O'Bannon, seconded by John Riggs, that a Notice of Violation be sent to Mr. Pela and that the case be closed. The motion carried.

- G. BTR vs. Universal Engineering & Services, Inc. TEMP-RITE Engineering, Inc., Refrigeration Engineers - C89-80

MOTION - A motion was made by Dr. O'Bannon, seconded by William Gookin, that a letter be sent advising these firms of the law and admonishing them to do what is necessary to come under compliance of the statutes. The motion was passed.

H. BTR vs. Northland Engineering Co. - C90-80

MOTION - A motion was made by Dr. O'Bannon, seconded by Hector Durand, that a Notice of Violation be forwarded to Northland Engineering Company advising them of the law under Arizona Statutes and admonishing them to take action necessary to come under compliance with the law. The motion was carried.

V. ADJOURNMENT:

MOTION - The motion was made by Dr. O'Bannon, seconded by Patricia Finley, that the meeting be adjourned. The motion carried.

4/24/81/jv

A. DISCLOSURES

1. Right to be represented by attorney and have attorney present.
2. Right to formal public disciplinary hearing before the Board.

B. PURPOSE OF COMPLIANCE CONFERENCE

1. Discuss alternatives to public hearing process consistent with the public interest.
2. Provide respondent opportunity to informally settle matter.

C. BOARD'S ENFORCEMENT ROLE - PROTECTION OF PROFESSIONAL SERVICES USERS, AND MEMBERS OF PUBLIC

D. BRIEF DESCRIPTION OF DISCIPLINARY ~~MATTER~~ PROCESS

1. Complaint.
2. Investigation conducted. *to arise from the*
3. General nature of Violations. *(ARLS)*

E. DESCRIPTION OF SETTLEMENT PROCESS

1. Board Proposal.
2. Respondent's acceptance or substantial counter offer.
3. Preparation and mailing of consent order.
4. Respondent signs order.
5. Board approval and issuance of order.

F. DISCRIPTION OF BOARD PROPOSAL

1. Only for purpose of making settlement proposal, accuracy of allegations will be assumed.
2. Public interest requires proposal of following sanctions  
[Describe proposed sanctions]

PRACTICAL ASPECTS OF SETTLEMENT

G.

- 1. Fair and efficient disposition of matter.
- 2. Time, cost, and resource savings to individual and agency.
- 3. Avoidance of long litigation process (including appeals).
- 4. Avoidance of trauma of public testimony and hearings.
- 5. End of investigative process.

RESPONDENT'S COMMENTS

H.

RESPONDENT'S RESPONSE TO BOARD

I.

- 1. In writing.
- 2. With statment of position for record (optional).
- 3. Within 20 days.

FINANCE

The BOARD has determined that the settlement to be held in lieu of penalty (20-119 (a.2)) with respect to professional conduct and standards in the practice of tax preparation.

The BOARD, after examination of the review report, has determined that the respondent may enter into a conditional settlement in lieu of penalty or formal disciplinary proceedings. The Board believes that this settlement will protect the integrity and welfare and is more likely to rehabilitate or reform the respondent than formal disciplinary proceedings.

According to the original content of the document, the Board hereby issues the following order:



## BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

In the Matter of )  
 Willdan Associates )  
 Civil Engineers )

Case No. C21-79

DECISION (BY CONSENT)

The Arizona State Board of Technical Registration ("BOARD") has received an investigative review report concerning the work product of Willdan Associates ("RESPONDENT"), which contains allegations of non-compliance with certain civil engineering standards and principles.

FINDINGS

The BOARD has determined that the RESPONDENT be held for violation of Article 32-128 (A.2) with regard to professional negligence and misconduct in the practice of its profession.

The BOARD, after examination of the review report, determines that RESPONDENT may enter into a conditional settlement of this matter in lieu of formal disciplinary proceedings. The BOARD further determines that this settlement will protect the public safety and welfare and is more likely to rehabilitate or educate the RESPONDENT than formal disciplinary proceedings.

Pursuant to the attached Consent of the RESPONDENT, the BOARD hereby issues the following Order:

ORDER

- 1. Further proceedings in this matter are continued;
- 2. RESPONDENT shall comply with the following requirements:

The RESPONDENT is fined \$1,000 and is censured for its aforesaid conduct.

3. Upon the discovery of material facts unknown to the BOARD at the time of this Decision concerning the matters described in the investigative review report, the BOARD may institute formal disciplinary proceedings with respect to such matters, and neither this conditional settlement nor the delay caused thereby shall bar such proceedings;

4. Upon receipt of payment of the above fine, the BOARD shall issue its further Order terminating these proceedings.

DATED: \_\_\_\_\_  
ARIZONA STATE BOARD OF  
TECHNICAL REGISTRATION

By: \_\_\_\_\_  
Chairman

CONCURRING:  
NOT PRESENT:

cc: Gary L. Sheets  
Assistant Attorney General

CONSENT TO ENTRY OF DECISION NO. C21-79

Willdan Associates hereby consents and agrees to all terms and conditions of this Decision, and consents to its immediate issuance upon acceptance by the Board. It understands that it has the legal right to consult counsel prior to entering into this conditional settlement. It further understands that it has the legal right to a formal hearing concerning the subject matter of these proceedings at which hearing it may present evidence and cross-examine witnesses. However, it irrevocably waives its right to a formal hearing concerning this consent and irrevocably waives any right to court appeals relating thereto. It denies the allegations against it and this consent is not to be deemed an admission of any liability or wrong in this matter. It consents to the Board's continuing jurisdiction in this matter, and waives specific findings of fact and conclusions of law.

DATE: 4/14/81

Willdan Associates

BY *[Signature]*

Its Senior Vice President

APPROVED AS TO FORM:

\_\_\_\_\_

TO OPEN, I WANT TO TAKE THIS OPPORTUNITY TO THANK PUBLICLY MY CONTEMPORARY SURVEYORS FROM THE ARIZONA PROFESSIONAL LAND SURVEYORS SOCIETY THAT AFFORDED MY RECOMMENDATION TO THE GOVERNOR OF THE STATE OF ARIZONA. THERE WERE UNDOUBTEDLY OTHER SURVEYORS WHO SOUGHT THE APPOINTMENT OF THE LAND SURVEYOR MEMBER TO THE STATE BOARD AND I AM SURE THEY WERE EQUALLY OR EVEN MORE QUALIFIED THAN I AM. HOWEVER, GOVERNOR BRUCE BABBIT APPOINTED ME. FOR THIS I WISH TO ALSO THANK GOVERNOR BABBIT AND I WOULD SAY TO HIM AND TO YOU THAT I SHALL WORK WITH ALL DILLIGENCE AND DEDICATION IN DISCHARGING MY DUTIES AS THE LAND SURVEYOR MEMBER OF THE BOARD. I AM AS PROUD AT THIS MOMENT AS I WAS WHEN THE GOVERNOR'S OFFICE CALLED TO ASK ME IF I WOULD ACCEPT. PRIOR TO HAVING BEEN APPOINTED I REALIZED THERE WERE MANY RESPONSIBILITIES IN BEING A MEMBER OF THE STATE BOARD OF TECHNICAL REGISTRATION. BUT AFTER HAVING SERVED FOR APPROXIMATELY SIX MONTHS I FIND THE RESPONSIBILITIES MANY TIMES MORE THAN I HAD REALIZED. MY PRIMARY GOAL IN SUBMITTING MY NAME FOR THE APPOINTMENT WAS I FELT I COULD FURTHER THE PROFESSION OF LAND SURVEYING. OUR PROFESSION HAS BEEN MUCH

MALIGNED BY OTHERS AND I AM SURE THAT THIS IS A RESULT OF A LACK OR I SHOULD SAY THE IGNORANCE OF WHAT A LAND SURVEYOR IS, OR DOES OR WHAT HIS RESPONSIBILITIES TO THE PUBLIC ARE. OF COURSE, THE MALIGNING OF OUR PROFESSION HAS ALWAYS BEEN IMPLICIT AND IN SOME ISOLATED CASES VERY EXPLICIT. CAN WE CRITICIZE OTHERS FOR THEIR PARTICULAR ATTITUDE TOWARDS LAND SURVEYORS? THE LAND SURVEYING PROFESSION IS PARADOXICAL IN COMPARISON TO THE OTHER PROFESSIONS THAT ARE GOVERNED BY THE CODE OF THE STATE BOARD OF TECHNICAL REGISTRATION. THESE OTHER PROFESSIONS UNDERSTANDABLY LAY A TREMENDOUS VALUE TO THEIR EDUCATIONAL BACKGROUND AND HERE IS THE LAND SURVEYOR WHO IS REQUIRED NO SCHOOLING BUT ONLY SIX YEARS OF PRACTICAL EXPERIENCE AND THE ABILITY TO PASS SIXTEEN HOURS OF TESTING. FELLOW SURVEYORS, WE HAVE A MONKEY ON OUR BACK. OUR DUTY TO OURSELVES AND OUR PROFESSION IS TO STRIVE TO ESTABLISH AN OPPORTUNITY TO EDUCATE FUTURE PROFESSIONAL LAND SURVEYORS. WHERE IS THE SURVEYOR TODAY? IS HE A TECHNICIAN IN A MISUNDERSTOOD PROFESSION, OR IS HE A PROFESSIONAL WITH MISUNDERSTOOD TECHNICAL ABILITIES? AND TO REPEAT, THE LAND SURVEYOR TODAY IS A PARADOXICAL COMPOSITE ANSWER TO BOTH QUESTIONS. NOW LET THE

PROFESSIONALS IN THE OTHER TECHNICAL AREAS WITH THEIR DEMEANING ATTITUDE BE FOREWARNED THAT THE SURVEYORS, THE PROFESSIONAL SURVEYORS, IN THE STATE OF ARIZONA INTEND AND WILL UPGRADE THE PROFESSION IN ORDER TO EARN THE RESPECT WHICH HAS BEEN THEIR DUE FOR THEIR ACCOMPLISHMENTS IN SERVICE TO THE PUBLIC. THE LAND SURVEYORS ARE NO LONGER A DIVIDED FRONT. THEY HAVE, IN THE ARIZONA PROFESSIONAL LAND SURVEYORS' SOCIETY, A VIABLE ORGANIZATION WITH PEOPLE THAT ARE EXTREMELY CAPABLE OF FURTHERING THIS PROFESSION - AND BELIEVE ME THESE MEN HAVE WORKED DAY AND NIGHT FOR OVER ONE YEAR TO ACCOMPLISH A PRESENTATION WHICH I WILL DISCUSS LATER IN THE FORM OF THE PROPOSED LEGISLATION NOW BEFORE THE LEGISLATURE WHICH FURTHERS THE STATUS OF THE LAND SURVEYOR IN THE STATE OF ARIZONA. ALONG WITH THE AIRZONA PROFESSIONAL LAND SURVEYORS' SOCIETY WE HAVE THE AMERICAN CONGRESS OF SURVEYING AND MAPING AMONG WHOM ARE MANY SURVEYORS THAT HAVE ALSO WORKED WITH MUCH EFFORT TO FURTHER THE PROFESSION. AND LAST BUT NOT LEAST, THERE IS A LAND SURVEYOR MEMBER ON THE STATE BOARD. WITH THESE THREE ENTITIES MUCH CAN BE ACCOMPLISHED. IT WILL TAKE TIME BUT WITH A GREAT DEAL OF COOPERATION, A GREAT DEAL OF WORK AND A GREAT DEAL OF DEDICATION WE CAN ACCOMPLISH



A PROFESSION THAT WILL BE RESPECTED NOT ONLY FOR WHAT THEY DO BUT FOR WHAT THEY ARE - PROFESSIONAL LAND SURVEYORS.

HERETOFORE, I MENTIONED THE EXTENSIVE EFFORT BY THE ARIZONA PROFESSIONAL LAND SURVEYORS. THE LEGISLATIVE COMMITTEE, CHAIRED BY JEFF ANDREWS, FORMULATED AFTER MANY HOURS AND THREE REVISIONS THE CHANGES TO THE CODE WHICH PRINCIPALLY EFFECTED LAND SURVEYORS - AND THEIR REVISIONS WERE, AND I WILL POINT OUT THE MORE IMPORTANT ONES. FIRST, THEY REDEFINED THE LAND SURVEYOR REPLACING THE OLD INADEQUATE DESCRIPTION IN THE PRESENT CODE. SECONDLY, THEY INTRODUCED INTO THE REVISION A PROVISION OF A LAND SURVEYOR IN TRAINING. THIS IS VERY IMPORTANT IN THAT THIS WILL HOPEFULLY PROMOTE MORE EDUCATION FOR FUTURE LAND SURVEYORS. THIRDLY, THEY PRESENTED A DEFINITION, NAMELY THE PRACTICE OF LAND SURVEYING. WE CAN ALL OF COURSE REALIZE THE IMPORTANCE OF HAVING THESE ITEMS WITHIN THE CODE. THERE WILL NOW BE A PARITOUS POSITION FOR THE PROFESSIONAL LAND SURVEYOR WITHIN THE CODE, IN PARALLEL WITH THE OTHER DISCIPLINES GOVERNED BY THE STATE BOARD. THE SURVEYORS ALSO SUCCEEDED IN ADDING THE WORD ENGINEERING PRIOR TO THE WORD SURVEYING IN THE DEFINITION OF

ENGINEERING PRACTICE. HOWEVER, A COMPROMISE WITH THE ENGINEERING SOCIETIES WAS NEGOTIATED. ENGINEERS REGISTERED AFTER MARCH 1, 1981, DESIRING TO PRACTICE LAND SURVEYING MUST MAKE APPLICATION, QUALIFY AND BE GRANTED REGISTRATION AS A LAND SURVEYOR. AFTER MUCH DISCUSSION, AND BY NO MEANS ALL IN THE AFFIRMATIVE, THE BOARD ADOPTED THESE PRINCIPAL REVISIONS TO THE CODE AS PRESENTED BY THE ARIZONA PROFESSIONAL LAND SURVEYORS, INCLUDING THE COMPROMISE. SUBSEQUENTLY, THE BOARD FOUND A SPONSOR FOR THE REVISED CODE IN THE HOUSE OF REPRESENTATIVES AND IT IS NOW IN THE LEGISLATIVE PROCESS. AS OF THIS DATE THE BILL KNOWN AS HB-2115 HAS BEEN ADOPTED BY THE HOUSE AND IS IN THE SENATE. I AM SORRY TO SAY AT THIS POINT IT IS STALLED. MARK EDSON, THE EXECUTIVE DIRECTOR, IS MAKING ALL EFFORTS TO FIND THE PROBLEM, AND IS TRYING TO EXPEDITE THIS BILL FOR ADOPTION BY THE LEGISLATURE. TO GIVE YOU AN INSIGHT OF BOARD ACTIVITY, THE BOARD IN ANY SUBJECT THAT IT MAY BE CONSIDERING OR UNDERTAKING, IS LIMITED TO THE ABILITY OF ITS STAFF TO MAKE THE NECESSARY PREPARATIONS FOR THE BOARD'S CONSIDERATION AND ACTION. PRESENTLY, WITH NO RELIEF IN SIGHT, THERE ARE ONLY FIVE AND

ONE HALF STAFF MEMBERS INCLUDING THE EXECUTIVE DIRECTOR.  
THIS IS A VERY, VERY LIMITING FACTOR AND MAKES ALL WORK VERY SLOW AND CUMBERSOME. ALSO YOU MUST CONSIDER THAT ALL BOARD DECISIONS AND ACTIONS MUST COMPLY TO THE CODE. THUS THE OPINION OF THE ATTORNEY GENERAL'S OFFICE OFTEN IS SOLICITED TO ASSURE PROPER LEGAL CONFORMITY TO THE STATUTES. IN ALL CASES FULL CONSIDERATION MUST BE GIVEN TO THE BEST INTERESTS OF THE PUBLIC, HEALTH, SAFETY AND WELFARE. NOW AS OF THE MIDDLE OF LAST YEAR AN ENFORCEMENT OFFICER WAS HIRED BY THE BOARD - HE QUIT LAST NOVEMBER. THE REASON WAS HE FELT THE COMPENSATION WAS NOT SUFFICIENT FOR THE RESPONSIBILITIES AND LATITUDE OF THE JOB. THEREFORE, THIS IS THE REASON FOR THE LACK OF A CONCERTED ENFORCEMENT PROGRAM SINCE LAST OCTOBER. AS OF LAST MONTH THE BOARD NOW HAS A NEW ENFORCEMENT PERSON AND ENFORCEMENT IS PROCEEDING AFTER UNFORSEEN DELAY. IN NOVEMBER THE BOARD HAD ADOPTED A PRIORITY SETTING ENFORCEMENT FIRST, AS A RESULT OF THE SUNSET LEGISLATION AND THE RECOMMENDATIONS OF THE AUDIT THAT PRIORITIES MUST BE ESTABLISHED. AT THIS TIME THE BOARD HAS APPROXIMATELY 130 CASES AS A BACKLOG

FOR ENFORCEMENT. 50% OF THESE ARE OF A SERIOUS NATURE AND MUST BE GIVEN DUE CONSIDERATION. IN THIS RESPECT THE BOARD HAS ESTABLISHED AND CREATED ADVISORY PANELS WITHIN EACH OF THE DISCIPLINES. THE SERIOUS CASES IN ENFORCEMENT WILL BE REFERRED TO THESE ADVISORY PANELS WHICH WILL IN TURN MAKE RECOMMENDATIONS FOR ACTION. DURING THIS PROCESS THESE RECOMMENDATIONS WILL BE CLEARED BY THE ATTORNEY GENERAL. THUS YOU CAN SEE PROGRESS IS BEING MADE IN THE ENFORCEMENT AREA. SECONDLY, A GREAT DEAL OF TIME IS ALSO TAKEN IN THE EVALUATION PROCESS TOWARDS REGISTRATION, SINCE EACH CASE MUST BE CONSIDERED INDIVIDUALLY. THE STAFF EXERTS TREMENDOUS AMOUNTS OF TIME AND EFFORT INTO THE PREPARATION FOR THE BOARD TO HAVE ALL INFORMATION THAT IS NECESSARY AND PROVIDED BY EACH OF THE APPLICANTS. IN THIS REGARD THE BOARD IS NOW IN THE PROCESS OF ADOPTING A NEW SET OF RULES, AND THESE RULES WILL SOMEWHAT CHANGE THE EVALUATION PROCESS WHERE PRIOR TO THIS TIME EACH APPLICANT WAS AFFORDED A PERSONAL AUDIENCE BEFORE AN EVALUATION COMMITTEE OF THE BOARD. THIS WILL BE CHANGED. THE STAFF WILL NOW MAKE A COMPREHENSIVE EVALUATION OF EACH APPLICANT AND NOTIFY THEM BY MAIL OF THE RECOMMENDATION TO APPROVE OR DENY THEIR APPLICATION.

SHOULD THE APPLICANT NOT AGREE, HE WILL THEN BE ABLE TO SUBMIT  
 A WRITTEN REQUEST FOR A PERSONAL INTERVIEW BEFORE THE EVALUATION  
 COMMITTEE OF THE BOARD. THIS COMMITTEE WILL THEN MAKE ITS  
 RECOMMENDATION TO THE FULL BOARD FOR FINAL ACTION. OTHERWISE  
 THE PREPARED EVALUATIONS WILL BE PRESENTED DIRECTLY TO THE  
 BOARD FOR APPROVAL OR DENIAL.

AT THE REGULAR MEETING OF MARCH 5th THE BOARD HAS TAKEN ACTION  
 TOWARD ADOPTING A SET OF RULES OF PROFESSIONAL CONDUCT, THEREBY  
 THE CHAIRMAN ASSIGNED THIS TASK TO THE RULES AND BYLAWS  
 COMMITTEE THAT IS TO MAKE A REPORT AT THE NEXT REGULAR MEETING,  
 JUNE 5th. I MIGHT SAY THAT ARS32-106F PROVIDES AUTHORITY FOR  
 THE BOARD TO CONSIDER ADOPTION OF SIMILAR MATERIAL AS PART OF  
 ITS RULES AND BYLAWS. ALSO AT THE MARCH 5th MEETING OF THE  
 BOARD, THE CHAIRMAN APPOINTED ME TO CHAIR AN AD-HOC COMMITTEE  
 THAT IS TO MAKE A COMPREHENSIVE RECOMMENDATION FOR A POLICY  
 TO GUIDE THE BOARD IN THE EVALUATION OF LAND SURVEYORS APPLI-  
 CATION FOR REGISTRATION. THUS I WILL SAY TO THE PEOPLE WHO  
 WISH TO BECOME REGISTERED AS LAND SURVEYORS IN THE FUTURE,  
 THAT THEY MUST OUTLINE IN DETAIL LAND SURVEYING EXPERIENCE,

AND WHEN I SAY LAND SURVEYING I MEAN THIS IN ITS TRUEST SENSE AS IT IS DEFINED IN THE CODE, NO LONGER WILL EXPERIENCE IN ENGINEERING SURVEYING BE APPLICABLE, THAT IS TO SAY CONSTRUCTION SURVEYING. THE APPLICANT MUST INDICATE TO THE BOARD CHRONOLOGICALLY HIS OR HER EXPERIENCE IN ACTUAL LAND SURVEYING, AND BY THIS I MEAN BOUNDARY WORK. THIS WOULD INCLUDE WORK ON SUBDIVISIONS INCLUDING THE BOUNDARY THEREOF AND THE STAKEING OF LOTS, ALSO THE COMPUTATIONS THAT ARE NECESSARY TO DEVELOP THE SUBDIVISION, LOT AND ACREAGE SURVEYS, THE PREPARATION OF LEGAL DESCRIPTIONS, ETC. THE ACCUMULATION OF THIS EXPERIENCE MUST BE NOTED AS RESPONSIBLE CHARGE OF ANY WORK OR PROJECT UNDER THE SUPERVISION OF A REGISTRANT. THE REVISED CODE WILL REQUIRE EIGHT YEARS EXPERIENCE. THIS EXPERIENCE BACKGROUND WILL INCLUDE EDUCATION, YEAR FOR YEAR, WITHIN AN ACCEPTABLE CURRICULUM, AND LAND SURVEYOR IN TRAINING STATUS. IN LIEU OF THE ABOVE, EIGHT YEARS OF IN RESPONSIBLE CHARGE EXPERIENCE WOULD BE ACCEPTABLE. PLEASE TAKE NOTE OF THIS, IT IS VERY IMPORTANT TO THE PEOPLE THAT ARE NOT REGISTERED AT THIS TIME BUT HAVE A LAND SURVEYORS REGISTRATION IN MIND.



AGAIN, I WISH TO THAT THE ARIZONA PROFESSIONAL LAND SURVEYORS  
AND PROFESSOR PHIL NEWLIN FOR INVITING ME TO TALK TO YOU. IF  
YOU HAVE ANY QUESTIONS I WILL BE GLAD TO ANSWER THEM.

- Walter J. Lerley, Chairman
- Charles L. Pflaum, Vice-Chairman
- James H. Kohn, Secretary
- William C. Brown, Member
- Richard C. Gorch, Member
- Harold A. Bickel, Member
- Paul J. Gandy, Member
- William F. Roberts, Member
- John A. Smith, Member
- Ray K. Smith, Asst. Attorney General
- E. Ross Lyon, Executive Director
- Patricia Wood, Administrative Secretary

MINUTES OF SPECIAL MEETING  
ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

MAY 1, 1981

A special meeting of the State Board of Technical Registration was held at Arizona State University, Tempe, Arizona, Rm G-330, Engineering Center, on Friday, May 1, 1981. The meeting was called to order by Chairman Wayne O. Earley at 9:30 a.m.

PRESENT: Wayne O. Earley, Chairman  
Charles E. O'Bannon, Vice-Chairman  
Jimmie R. Nunn, Secretary  
Silas C. Brown, Member  
Hector C. Durand, Member  
Patricia J. Finley, Member  
Rod J. Gomez, Member  
William S. Gookin, Member  
John B. Riggs, Member

Gary L. Sheets, Asst. Attorney General  
F. Mark Edson, Executive Director  
Particia Wood, Administrative Secretary

Those present constituted a quorum.

The Chairman opened the meeting by welcoming Mr. Silas Brown back to the Board after a lengthy illness.

The Chairman stated the purpose of this special meeting was because of his concern for the future and the survivability of the Technical Registration Board and the difficulties encountered in this 1980-81 Legislative Session both monetarily and legislatively.

Also, it was stated by the Asst. Attorney General that because of the recent adoption of Senate Bill 1046, today's meeting was necessary to adopt the Rules as amended at the Public Hearing on Rules of April 17, 1981, to comply with the legislative mandate set out in the aforementioned bill. (See Page 5035 for copy of memorandum from Asst. Attorney General dated April 15, 1981.)

1. CONTINUED HEARING - CHANGES TO THE RULES

The Executive Director reviewed the memorandum sent to Board members dated April 21, 1981, on the subject of New Fee Schedules approved

Special Board Meeting  
May 1, 1981  
Page 2

at Special Board Meeting of April 17, 1981. (See Page 5039 of Minutes.) Primarily, the rules contain the fee schedules that would be necessary to maintain the Technical Registration fund to support the budget level of \$362,000, which was presented to the Legislature with the view that whatever appropriation was approved by the Legislature, this figure could be trimmed back to accommodate the level of operation necessary. In effect, the Legislature approved a \$241,900 budget, and at the April 17, 1981, Special Board Meeting, a recommendation was made by the Executive Director that fees be reduced accordingly to avoid a substantial growth of funds in the Technical Board's general fund. The Executive Director presented three different cash flow schedules, also attached to memorandum to the Board dated April 21, 1981. Schedule C, based on a \$240,000 Legislative appropriation was recommended by the Executive Director. The reasoning behind this recommendation being that the Legislature looks at a surplus of funds for all 90-10 agencies that are not being used. This cash flow level should stabilize the fund with a surplus of about \$100,000.

A general discussion followed by the Board.

MOTION: It was moved by Mr. Gomez and seconded by Mr. Riggs that the registration renewal fees be increased to \$21 annually and the application fees be doubled to \$50 for in-state applicants and \$100 for out-of-state applicants. Motion carried with Mr. Gookin casting a "no" vote.

MOTION: It was moved by Mr. Nunn and seconded by Mr. Durand that the proposed rules be adopted as amended, subject to certification by the Attorney General's office, to be effective on filing with the Secretary of State of Arizona. (Pages 5047/<sup>-5060</sup> of minutes). Motion carried.

Special Board Meeting  
May 1, 1981  
Page 3

MOTION: It was moved by Mr. Durand and seconded by Mr. Riggs that the Public Hearing on Rules be adjourned. Motion carried.

2. LAW CLERK - AUTHORIZATION TO CONTRACT

The Executive Director reported on the interviews conducted by Board Members on the hiring of a Law Clerk. Present for this interviewing session were Mr. Nunn, Ms. Finley, Gary Sheets, Asst. Attorney General, and Mark Edson. At this time David Rivers was introduced to the Board as the most qualified and acceptable applicant.

It was indicated by the Chairman that all the work of the Law Clerk be reviewed by the By-laws Committee before coming to the full Board for ratification, and at this time Board members should have the priority to review the alternatives and series of options on rules that may be suggested. The Chairman stressed the importance of bearing in mind the simplicity and directness required in the drawing up of new rules and the need for identifying the issues.

Mr. Gomez suggested Mr. Rivers be furnished a copy of all past Attorney General opinions pertinent to the Technical Registration Board. The Chairman requested these be furnished by the Executive Director. The Director indicated an outline on these opinions would<sup>also</sup> be furnished to all Board members in the near future.

Mr. Sheets suggested that an outline of priorities be presented for review by the Board for the June 5 Board Meeting that could be followed by Mr. Rivers in the drafting of new rules.

Special Board Meeting  
May 1, 1981  
Page 4

The Executive Director indicated he would prepare the suggested outline and present this to the Rules Committee for review and that by the end of May, Mr. Rivers could meet with the Rules Committee for his indoctrination and briefing, and that possibly the Rules Committee would make a report at the June 5 Board meeting.

MOTION: It was moved by Mr. Durand and seconded by Mr. Nunn that the Board contract with David Rivers as the Law Clerk for the Board and his fees are not to exceed \$3,000 at the rate of \$6.00 per hour. Motion carried.

The Chairman welcomed David Rivers to the staff on behalf of all Board members.

MOTION: It was moved by Mr. Nunn and seconded by Mr. Durand that the Executive Director be authorized to sign the contract on behalf of the Board for the services of David Rivers. Motion carried.

Mr. Sheets suggested that all Board members, with regard to the particular discipline represented by each member, draft a list of what constitutes a gross deviation from professional standards and the acceptable minimum standards required of a registrant within each discipline and this be given to Mr. Rivers for drafting into the rules.

The Chairman requested the Executive Director seek input from all professional societies on the above matter.

Mr. Sheets noted that minimum professional standards within each discipline adopted into the rules would serve as a guideline for all prospective registrants.

DRAFT

Special Board Meeting  
May 1, 1981  
Page 5

3. A. NEW BUSINESS

It was the opinion of the Asst. Attorney General that all Notices of Public Meetings should either have the agenda of the meeting attached or indicate the agenda is available for review in the Board office.

The Chairman proposed the Board go into Executive Session to discuss personnel matters.

The Asst. Attorney General indicated that the Open Meeting Law be complied with and that the only matter that could be discussed in Executive Session would be personnel matters concerning a specific employee or a specific employee's salary, or disciplining of a specific employee, not long-term planning. There are only three ways a Board should go into Executive Session; they are 1) for personnel matters concerning disciplining an employee; 2) to deal with matters that are confidential by law---that would mean investigations that the Board has pending that haven't been released to the public yet; and 3) where the Board is requesting specific advice from the the Board's attorney regarding a specific legal problem.

The Asst. Attorney General stated that any matter not placed on the agenda may not be reviewed with counsel in public meeting. However, items may be listed on the agenda and omitted for discussion in public meeting, but may not be omitted on the agenda and then discussed in public meeting.



Special Board Meeting  
May 1, 1981  
Page 6

3. B. CONSIDERATION of 1981-82 APPROPRIATION

The Executive Director reviewed in detail the memorandum written by him and forwarded to all Board members dated April 28, 1981. (Page 5044 of Minutes). The Executive Director pointed out the Budget Analysts reduced the Board per diem from the requested amount, which was \$7,200, back to \$3,200--less than half. This action was taken, the Executive Director stated, in anticipation of fewer meetings on account of improved procedures in evaluation and enforcement. This was done independently by the budget analysts without prior consultation with the Executive Director, and the Executive Director stated his dismay by this action. The Executive Director proposed the Board go ahead and spend the money that is necessary for the staff and go back to the Legislature in the spring for an adjustment of that fund if there is a deficit.

The Chairman opened the matter for discussion.

The Chairman directed the Executive Director to verify whether or not a lump-sum agency may use its funds as it sees fit rather than keeping the amount to strictly line items. The Director indicated he would report on this matter at the June 5 Board meeting.

A discussion ensued as to how the \$241,000 appropriation for 1981-82 fiscal year would be spent and the priorities for expenditures for the coming year.

The Executive Director made a request that some of the surplus for the 1980-81 fiscal year be used to install the CRT machine.

Special Board Meeting  
May 1, 1981  
Page 7

The Executive Director reviewed each item of expenditures referred to in memorandum of April 28, 1981, "1981-82 Budget Figures" (Page 5044 of Minutes). A general discussion was held as to the flexibility of each item and where a savings could be made. It was agreed by all Board members that some drastic action was necessary in view of the fact that anticipated expenditures for the coming fiscal year far exceeded appropriated funds.

Mr. Gomez proposed that a report be generated showing how funds are generated within the agency.

The Executive Director distributed a copy of the enforcement status report to each Board member with the explanation that Bruce Rosenhan, Asst. to the Director, is working up a month-by-month report showing the status on each case, and a report to the Board will be prepared shortly, which will be of assistance in the budgeting process.

The Executive Director indicated there are a lot of procedures under way at the present time that will give the Technical Registration Board a "track record" for budget appropriation standards, noting that in the future we will be able to process cases faster than anticipated. Mr. Edson noted he anticipates going back to the Legislature in January 1982 for \$30,000 to \$50,000 supplemental appropriation.

- At this time the Chairman gave a report to the Board.

Following the Chairman's report a general discussion was held and various suggestions made as to how the Board could operate more efficiently; i.e., 1) a public relations firm be hired as a consultant; 2) a staff person be assigned to produce a news letter on Board actions.

MOTION: It was moved by Dr. O'Bannon and seconded by Mr. Gookin that we authorize and direct the Executive Director to hire and authorize an experienced person to attend our monthly Board meetings and put out a press release on Board activities as directed, for the period of May 30, 1981 to June 1, 1982.

Mr. Gomez proposed an amendment to the motion as follows:

that the authorization include a dollar limit, not to exceed \$4,000.

Motion carried as amended.

The Chairman directed the Executive Director to contract with a reputable firm and to have the contract drawn up on a year-to-year basis.

MOTION: It was moved by Mr. Durand and seconded by Dr. O'Bannon that the Chairman be authorized to generate a contract with this public information person. Motion carried.

4. The Chairman expressed the appreciation on behalf of the Board to Dr. O'Bannon in arranging the facilities for today's meeting.

5. ADJOURNMENT

MOTION: It was moved by Mr. Durand and seconded by Mr. Gookin that the meeting be adjourned. Motion carried.

12:35 p.m. - Meeting adjourned.



Attorney General <sup>File</sup> 95035  
STATE CAPITOL  
Phoenix, Arizona 85007

Robert R. Corbin

M E M O R A N D U M

RECEIVED

APR 22 1981

STATE BOARD TECHNICAL

TO: All State Agencies  
FROM: Bob Corbin, Attorney General *BC*  
DATE: April 15, 1981  
RE: Promulgation of Rules and Regulations

Attached is a copy of Senate Bill 1046 which has recently been passed by the Arizona Legislature and signed into law effective immediately by the Governor. This bill significantly alters the procedures by which rules and regulations are promulgated by state agencies. The principal changes which you should immediately be aware of are as follows:

1) The notice period has been changed to require that the Notice of Adoption appear in the Secretary of State's Digest at least 20 days prior to the hearing. Previously the statute required that the notice be filed with the Secretary of State 20 days prior to the hearing. This change substantially alters the time periods involved in the promulgation of rules and must be complied with. With respect to rule proceedings that were in process at the time the statute became effective on March 27, 1981, you should consult with your legal counsel regarding whether or not those proceedings need to be renoticed.

2) It is no longer necessary to submit the rule to the Attorney General for certification prior to formal adoption of the rule. Agencies should adopt the rule subject to certification by the Attorney General and then forward it to the Attorney General for certification. The rule, if certified, will be directly forwarded to the Secretary of State by this office and you will be so notified. Accordingly, please send us the original and four copies of the rule. One will be returned to you; one will be kept for our files; the original and two copies will be sent to the Secretary of State.

/ama  
Enc.

ISSUED BY  
**ROSE MOFFORD**  
 SECRETARY OF STATE

State of Arizona  
 Senate  
 Thirty-fifth Legislature  
 First Regular Session  
 1981

## CHAPTER 30

## SENATE BILL 1046

## AN ACT

RELATING TO STATE GOVERNMENT; PRESCRIBING RULES AND REGULATIONS TO BE PUBLISHED; PROVIDING FOR TWENTY DAY PERIOD AFTER PUBLICATION IN THE ADMINISTRATIVE RULES DIGEST OF NOTICE OF ADOPTION, AMENDMENT OR REPEAL OF AGENCY RULE BEFORE COMMENCING PROCEEDINGS; PRESCRIBING CONTENTS OF NOTICE TO BE FILED WITH THE SECRETARY OF STATE; PROVIDING FOR ADOPTION OF RULES SUBJECT TO REVIEW AND ARTIFICATION BY THE ATTORNEY GENERAL; PRESCRIBING PROCEDURE FOR EMERGENCY ADOPTION, AMENDMENT OR REPEAL OF RULES; PROSCRIBING PROCEDURES FOR FILING RULES WITH SECRETARY OF STATE, AND AMENDING SECTIONS 41-127, 41-1002, 41-1002.01, 41-1003, 41-1004 AND 41-1005, ARIZONA REVISED STATUTES.

1 Be it enacted by the Legislature of the State of Arizona:  
 2 Section 1. Section 41-127, Arizona Revised Statutes, is amended to  
 3 read:  
 4 41-127. Publication of administrative rules and regulations  
 5 A. The secretary of state shall publish at least once each quarter  
 6 or more often if he THE SECRETARY OF STATE deems it advisable all STATE  
 7 AGENCY administrative rules and regulations filed in his THE office OF THE  
 8 SECRETARY OF STATE subsequent to the effective date of this section and  
 9 pursuant to section 41-1004. The rules and regulations shall be published  
 10 in looseleaf volumes and designed to be kept current by the process of  
 11 updating and substitution of pages. They shall be divided into appropriate  
 12 sections for easy reference and shall contain an index and such other  
 13 research aids as the secretary deems necessary.  
 14 B. Publication by the secretary of state pursuant to this section  
 15 shall constitute prima facie evidence of the adoption and filing of such  
 16 rule pursuant to this chapter.  
 17 Sec. 2. Section 41-1002, Arizona Revised Statutes, is amended to  
 18 read:



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41-1002. Notice of proposed adoption, amendment or repeal of rule; contents of notice; hearing; time

A. ~~At least twenty days~~ Prior to THE adoption, AMENDMENT OR REPEAL of any rule, notice of the proposed action shall be filed with the secretary of state. The notice shall include:

1. A statement of the time, place and nature of the proceedings for the adoption, AMENDMENT OR REPEAL of the rule.

2. Reference to the authority under which the rule is proposed to be adopted, AMENDED OR REPEALED.

3. ~~Either~~ An informative summary of the proposed rule, ~~or~~ AND the express terms thereof OF THE RULE.

4. Such other matters as are prescribed by statute applicable to the specific state agency or to any specific rule, ~~or~~ class of rules.

B. BEFORE COMMENCING ANY PROCEEDINGS FOR THE ADOPTION, AMENDMENT OR REPEAL OF A RULE, AN AGENCY SHALL ALLOW AT LEAST TWENTY DAYS TO ELAPSE AFTER THE PUBLICATION DATE OF THE ADMINISTRATIVE RULES DIGEST ESTABLISHED BY SECTION 41-129 IN WHICH THE NOTICE OF THE PROPOSED ADOPTION, AMENDMENT OR REPEAL IS CONTAINED.

~~B.~~ C. On the date and at the time designated in the notice, the agency shall afford any interested person, his duly authorized representative, or both, the opportunity to present statements, arguments or contentions in writing relating thereto TO THE RULE, with or without opportunity to present them orally.

Sec. 3. Section 41-1002.01, Arizona Revised Statutes, is amended to read:

41-1002.01. Rule approval and certification by attorney general

A. ~~No rule shall be adopted by~~ A state agency unless it has been reviewed MAY ADOPT A RULE SUBJECT TO REVIEW AND CERTIFICATION by the attorney general. ~~and he has certified~~ THE ATTORNEY GENERAL SHALL REVIEW AND CERTIFY that the proposed rule is:

1. Approved as to form.

2. Within the power of the agency to adopt and within the legislative standards theretofore enacted.

B. The certification of the attorney general shall within ninety days of receipt of the rule be endorsed on ~~each copy~~ THE ORIGINAL AND TWO COPIES of the rule which is filed DIRECTLY with the secretary of state pursuant to section 41-1004.

C. If the attorney general determines that ~~such~~ THE rule does not comply with subsection A of this section he shall endorse his rejection of certification on each copy of ~~such~~ THE rule and return ~~such~~ THE copies to the agency that proposed the rule within ninety days after his receipt of ~~such~~ THE proposed rule.

Sec. 4. Section 41-1003, Arizona Revised Statutes, is amended to read:

41-1003. Emergency adoption, amendment or repeal of rule

A. If in a particular instance the state agency makes a finding that adoption, AMENDMENT OR REPEAL of a rule is necessary for immediate



State of Arizona  
BOARD OF TECHNICAL REGISTRATION

1 preservation of the public peace, health and safety and that notice and  
2 public procedure thereon are impracticable, unnecessary or contrary to  
3 public interest, the rule may be adopted, AMENDED OR REPEALED as an  
4 emergency rule MEASURE, without the notice provided by section 41-1002 if  
5 such rule has been first approved and certified by the attorney general  
6 pursuant to section 41-1002.01 and filed with the secretary of state.

7 B. No rule adopted, AMENDED OR REPEALED pursuant to this section  
8 shall be valid for more than ninety days after the filing of such rule with  
9 the secretary of state.

10 Sec. 5. Section 41-1004, Arizona Revised Statutes, is amended to  
11 read:

12 41-1004. Filing rules with the secretary of state;  
13 exceptions

14 A. Every rule adopted by each STATE agency shall be certified and  
15 filed with the office of the secretary of state or shall be of no force or  
16 effect. The secretary of state shall keep a permanent register of such  
17 rules. The secretary of state shall not accept for filing a rule of a  
18 state agency which does not have a certification and approval of the  
19 attorney general as required by section 41-1002.01 AND IF THE NOTICE OF THE  
20 PROPOSED ACTION HAS NOT BEEN PUBLISHED IN THE ADMINISTRATIVE RULES DIGEST  
21 AS REQUIRED BY SECTION 41-1002.

22 B. Nothing in this article shall be construed to require filing  
23 with the secretary of state any rule which establishes or fixes rates,  
24 prices or tariffs, or relates to the use of public works, including streets  
25 and highways under the jurisdiction of any A state agency when the effect  
26 of the order is indicated to the public by means of signs or signals.

27 Sec. 6. Section 41-1005, Arizona Revised Statutes, is amended to  
28 read:

29 41-1005. Effective date of rule; exceptions

30 No rule adopted or promulgated by an A STATE agency shall become  
31 effective until a certified copy ORIGINAL AND TWO COPIES thereof has HAVE  
32 been filed in the office of the secretary of state, unless:

33 1. Otherwise specifically provided by statute pursuant to which the  
34 rule was adopted, in which event it becomes effective on the day prescribed  
35 by the statute.

36 2. A later date is prescribed by the state agency in a written  
37 instrument filed with or as a part of the rule.

38 Sec. 7. Emergency

39 To preserve the public peace, health and safety it is necessary that  
40 this act become immediately operative. It is therefore declared to be an  
41 emergency measure, to take effect as provided by law.

Approved by the Governor - March 27, 1981

Filed in the Office of the Secretary of State - March 27, 1981



State of Arizona  
BOARD OF TECHNICAL REGISTRATION

05039

FOR ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, LANDSCAPE ARCHITECTS AND LAND SURVEYORS  
1645 W. JEFFERSON, SUITE 315 • PHOENIX, ARIZONA 85007 • (602) 255-4053

M E M O R A N D U M

April 21, 1981

TO: Chairman and Members of the Board

FROM: F. Mark Edson  
Executive Director *FME*

SUBJECT: New Fee Schedules Approved at Special Meeting of April 17, 1981

At the above meeting, following the hearing on the new rules and changes in fees, I pointed out that the fee schedule as presented for hearing was prepared to support a budget level of \$362,000 which we had requested, and in view of the \$241,900 budget which the Legislature approved, I recommended that fees be reduced accordingly, to avoid a substantial growth of unusable money in the Technical Registration Fund. You did not support my recommendation and approved the fees as presented.

I do not consider this to be prudent management. Both staff and the Board may be the object of future criticism when these surpluses show up in the annual report and in the renewal process, and I would ask that you review the numbers again while Gary Sheets is reviewing the submission that will be presented to the Attorney General for certification.

I have prepared three exhibits to back up my request.

Schedule A

This schedule is based on the fees you approved, an increase in renewal fees from \$15.00/year to \$30.00/year and an increase in application fees from \$25.00/\$50.00 to \$50.00/\$100.00, and shows an increasing balance in the Technical Registration Fund after appropriations from \$93,218 on June 30, 1980, to an estimated \$697,000 on June 30, 1985.

Schedule B

This schedule is based on an increase in renewal fees from \$15.00/year to \$18.00/year, and an increase in application fees from \$25.00/\$50.00 to \$37.50/\$75.00 and shows a slightly increasing balance in the Technical Registration Fund from \$93,218 on June 30, 1980, to \$150,000 on June 30, 1985.

Chairman and Members of the Board  
April 21, 1981  
Page 2

Schedule C

This schedule is based on no increase in the renewal fee of \$15.00/year and an increase in the application fee from \$25.00/\$50.00 to \$50.00/\$100.00 and shows that the Technical Registration Fund will be relatively stable with the fund balance increasing slightly from \$93,218 on June 30, 1980, to about \$113,000 on June 30, 1985.

Of the three schedules, I would recommend Schedule C as being the most prudent for the following reasons:

- A. Renewal fees were just revised last year to \$15.00. Doubling this fee without a need will cause a big gripe. We can maintain the \$15.00 until the revenue prognosis is revised by legislative approval of a higher level of operation and begin to receive the increases almost immediately after the rule change is adopted (within four months in increments of about \$7,500 of increased funds per quarter for each \$3.00 increase in the fee).
- B. Application fees have not been changed for a least 15 - 20 years. It is reasonable to double these fees so that application fees pay a greater share of the application process.

Call me immediately if you support this recommendation and would like to change your position before the rules go to the Attorney General for certification.

FME:jv

Attachments

Sheet A

# CASH FLOW ANALYSIS

05041

June  
4/20/81

BASED ON ADOPTED (APPROVED) FEE SCHEDULES - 4/17/81

Renewal Fee 30<sup>00</sup>/yr; APP FEES; 50<sup>00</sup> IN STATE / 100<sup>00</sup> OUT OF STATE

Date	ITEM	CREDIT	DEBIT	BALANCE
1980-81	Fund Balance, 6/30/80 Less adm adjustment		5,000	93,218
	1980-81 Revenue Est.	352,200		
	1980-81 appropriation		210,800	
	1980-81 Supplementary approp.		34,000	195,618
1981-82	Fund Balance 6/30/81			195,618
	1981-82 Revenue Est.	300,000		
	1981-82 APPROP.		241,900	253,718
1982-83	Est Fund Balance 6/30/82			253,718
	1982-83 Revenue Est.	399,450		
	1982-83 approp. Est.		261,252	391,916
1983-84	Est Fund Bal 6/30/83			391,916
	1983-84 Revenue Est.	467,420		
	1983-84 appropriation Est.		282,152	577,183
1984-85	Est Fund Bal 6/30/84			577,183
	1984-85 Revenue Est.	424,800		
	1984-85 appropriation Est.		304,724	697,257

Calculations are based on a growth rate of 5%/yr in Registration, Examination, and application No's, and 8%/yr in expenditures.

# CASH FLOW ANALYSIS

SGH, C (BASED ON Renewal fee "axis" - appl fees @ 50% <sup>State</sup> 100% <sup>out of</sup>)

Yr	Flow	Credit	Debit	Fund Bal
1980-81	Fund Bal 6/30/80 less now adj 80-81 Revenue " approp incl Supp	352,000	5,000 244,800	93,2 195,4
1981-82	Fund Bal 6/30/81 81-82 Revenue Est. " appropriation	195,600	241,900	195,4 149,11
1982-83	Fund Bal 6/30/82 82-83 Revenue Est. " appropriation Est.	252,000	261,300	149,1 139,8
1983-84	Fund Bal 6/30/83 82-83 Revenue Est. " appropriation Est.	288,000	282,200	139,81 145,61
1984-85	Fund Bal 6/30/84 84-85 Revenue Est. " appropriation Est.	272,900	304,700	145,61 113,818
1985-86	Fund Bal 6/30/85 85-86 Revenue Est " approp Est	294,000	329,000	113,818 78,818

Calculations based on growth rate of 5%/yr in application, Registration & Examination numbers & growth of 8%/yr in Expense.



## CASH FLOW ANALYSIS

37.50 Sec

75.00 0.81  
STA

B

BASED ON Renewal Fee @ 18<sup>00</sup>/YR APPL Fees

	Item	Credit	Debit	Bal
80-81	Fund Balance 6/30/80			-93,218
	Less adm exp		5,000	
	80-81 Revenue	352,000		
	" approp Incl Supp		244,800	195,418
81-82	Fund Balance			195,418
	81-82 Revenue Est.	200,000		
	" appropriation		241,900	153,518
82-83	Fund Bal			153,518
	82-83 Revenue Est	265,000		
	" appropriation		261,300	157,218
83-84	Fund Bal			157,218
	83-84 Revenue Est.	300,000		
	" approp Est.		282,200	175,018
84-85	Fund Bal			175,018
	84-85 Revenue Est.	280,000		
	" approp Est.		304,700	150,318

Calculations based on growth rate of  
 5% / YR in application / Registration  
 & Examination numbers and  
 a growth of 8% / YR in expenditures.





State of Arizona  
BOARD OF TECHNICAL REGISTRATION

05044

FOR ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, LANDSCAPE ARCHITECTS AND LAND SURVEYORS  
1645 W. JEFFERSON, SUITE 315 • PHOENIX, ARIZONA 85007 • (602) 255-4053

April 28, 1981

MEMORANDUM

TO: Chairman and Members of the Board

FROM: F. Mark Edson *FME*

SUBJECT: 1981-82 Budget Figures

For your information, as background for your May 1st priority discussions, I am forwarding the following information:

ITEM	FY 80-81 ESTIMATED EXPENSE	81-82 LEGISLATIVE APPROPRIATION	ESTIMATE of 81-82 EXPENSE	REMARKS
<u>PERSONAL SERVICES</u>	5.5 FTE	6.0 FTE	6.0 FTE	
Board per diem	\$ 5,430	\$ 3,200	\$ 5,400(2)	1) Advised JLBC 4/24 of apparent error in staff funding for 6.0 FTE at present grades including probation and merit increases. 2) Reduction in Board per diem was based on anticipation of fewer meetings on account of improved procedures in evaluation and enforcement
Staff Salaries	85,580	96,600	100,200	
Vacancy Savings	9,860			
TOTAL	\$ 100,870	\$ 99,800	\$ 105,600	$\Delta = 5800. (-)$
Employee-Related Expense	14,400	17,200	17,400	$\Delta = 200 (-)$
<u>OUT. &amp; OUTSIDE SERVICES</u>				
Services & Microfilming	\$ 17,900	\$ 7,400	\$ 7,400(1)	1) We may have some additional expense in programming to refine the operation of new CRT terminal. 2) 87% of this figure is in the cost of examinations.
Expense	32,500	37,600	37,600(2)	
Enforcement Program	7,500	16,500	13,800	
Clerk	1,300	-	2,700	
TOTAL	\$ 59,200	\$ 61,500	\$ 61,500	

ITEM	FY 80-81 ESTIMATED EXPENSE	81-82 LEGISLATIVE APPROPRIATION	ESTIMATE of 81-82 EXPENSE	REMARKS
<u>TRAVEL IN-STATE</u>				
Mileage	\$ 3,875(3)	\$ 6,300	\$ 5,000(1)	(1) We had hoped to shift some of this expense to an agency car this year. Our request was denied by JLBC & EBO
Subsistence	2,250	2,200	2,400	
Public Transpor.	1,875	900	2,000(2)	
Other	200	200	200	
TOTAL	\$ 8,200	\$ 9,600	\$ 9,600	(2) More of Board travel is due to air fare.
<u>TRAVEL OUT-OF-STATE</u>				
Subsistence	\$ 1,650	\$ 800	\$ 2,000	(1) Appropriation based on cost of one person attending out-of-state meetings in accordance with Governor's rule. We have been authorizing two persons to go. △ = \$2,350 (-)
Public Trans.	2,400	1,700	2,500	
Other	500	400	750	
TOTAL	\$ 4,550	\$ 2,900(1)	\$ 5,250	
<u>OTHER OPERATING COSTS</u>				
Rent	\$ 8,100	\$ 9,700	\$ 9,700	(1) This is the figure JLBC indicates they gave us for our EDP-CRT Terminal, representing annual lease cost. Data Center indicates total installed 1st year cost would be about \$2,900
Paper Shredding	200	200	200	
Ofs. Machine Maint	660	550	800	
Ofs. Supplies	6,200	6,820	6,320	
Data Proc. Supplies	300	330	330	
Printing Expense	14,750	8,400	9,600	
Postage	6,500	12,480	9,300	
Telephone	2,650	3,180	3,180	
Shipping & Adv. Exp.	500	440	500	
Repro. Equip. Lease	1,150	500	500	
All Other Equip Lease	900(2)	2,100(1)	4,700	
Equip. Rental	230	200	90	
Organization Dues	2,035	4,180	3,980	
Insurance	500	400	500	
Other Operating (Revolving Fund)	1,200	1,200	1,000	
TOTAL	\$ 45,875	\$ 50,700	\$ 50,700	
<u>EQUIPMENT</u>	\$ 7,500	200	200 <sup>(1)</sup>	(1) We requested an automatic mailing machine and got turned down.

<u>SUMMARY</u>	FY-80-81 ESTIMATED EXPENSE	81-82 LEGISLATIVE APPROPRIATION	ESTIMATE OF 81-82 EXPENSE	REMARKS
Personal Services	\$ 100,870	\$ 99,800	\$ 105,600	Difference = \$5,800
Employee Related	14,400	17,200	17,400	" 200
Prof. & Outside Serv	59,200	61,500	61,500	-
Travel In-State	8,200	9,600	9,600	-
Travel Out-of-State	4,550	2,900	5,250	2,350
Other Operating	45,875	50,700	50,700	-
Equipment	7,500	200	200	-
TOTAL	\$ 240,595	\$ 241,900	\$ 250,250	
Available Funds	244,800	-	241,900	
BALANCE	(\$ 4,205)		\$ (8,350)	Δ = (8,350)



CITY  
OF  
PHOENIX

BUILDING SAFETY DEPARTMENT DIRECTOR'S OFFICE - ROOM 341

Hold for next P&H  
12/5 or before

04770

September 10, 1980

RECEIVED

SEP 11 1980

STATE BOARD

Arizona State Board of Technical  
Registration  
1645 West Jefferson, Suite 315  
Phoenix, Arizona 85007

Gentlemen:

It has come to our attention that the Board has adopted a new rule pertaining to applications for Civil Engineer registration.

Our understanding of the rule is that an applicant whose work experience is in the structural discipline of civil engineering cannot be considered for registration as a Civil Engineer but must apply for registration as a Structural Engineer.

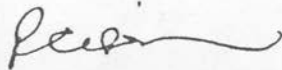
This rule presents us with problems. Our job description for Plans Engineer calls for registration as a Civil Engineer. We think it is important for our plan reviewers to be registered since they are checking plans prepared by registered engineers. However, it is not practical to expect that we can obtain registered Structural Engineers at the entry level. The skill required at the entry level is adequately demonstrated by a person who has passed the Civil Engineer's examination (through Part 4) and has structural experience. Our highest level of Plans Engineer (Senior Structural Plans Engineer) requires registration as a Structural Engineer. This position requires extensive experience in structural work with demonstrated knowledge in seismic design, indeterminate analysis, etc. This knowledge and experience cannot be expected from most entry level applicants and, in fact, is not necessary.

In addition to the personnel problem, we question the new rule from the professional viewpoint. Structural engineering is still one of the disciplines of civil engineering. The degree is still B.S.C.E. The registration law allows Civil Engineers to practice structural engineering to the extent that the individual feels qualified, just as it allows him to practice highway engineering or sanitary engineering. Surprisingly, and appropriate to this issue, the law does not describe a category of work which can only be undertaken by a registered Structural Engineer.

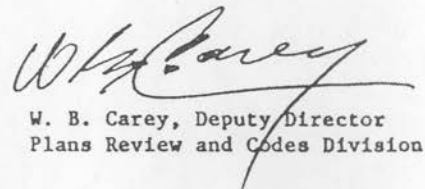
Arizona State Board of Technical  
Registration  
September 10, 1980  
Page Two

04771

Because of these considerations we respectfully ask that the Board reconsider the rule. We understand that the intent was to solve another aspect of the registration problem, but hope that the Board can find a solution more specific to the other problem.



R. C. Hildebrandt, Director  
Building Safety Department  
rj



W. B. Carey, Deputy Director  
Plans Review and Codes Division

cc: Mr. Baker, Chairman  
Arizona Consulting Engineers Association,  
Structural Division



04772

CENTRAL CHAPTER  
STRUCTURAL ENGINEERS ASSOCIATION  
OF ARIZONA

3625 NORTH 16TH STREET • PHOENIX, ARIZONA 85016 • PHONE: (602) 266-4926

REPLY TO:

December 1, 1980

State of Arizona  
Board of Technical Registration  
1645 West Jefferson, Suite 315  
Phoenix, Arizona 85007

Gentlemen:

It has come to the attention of our organization that the Engineering Evaluation Committee of the State Board of Technical Registration will deny individuals with a complete work experience in the structural discipline of Civil Engineering their request for registration as a Civil Engineer (C.E.).

We have reviewed the letter to you dated September 10, 1980, from Ross Hildebrandt and Bill Carey of the City of Phoenix Building and Safety Department regarding this ruling as it affects their organization.

It is the general opinion of the Structural Engineers Association of Arizona-Central Chapter, that a civil engineer who practices structural engineering should not be denied request for registration as a C.E., since the law permits a registered C.E. to practice structural engineering.

Registration as a Structural Engineer (S.E.) requires additional testing above that required for C.E. registration which is important to establish an increased proficiency or higher level of skill necessary in designing certain types of structures. It is our opinion that the State Board of Registration should define certain types of structures which should be left solely to those who have demonstrated the necessary skills to obtain the S.E. registration. Two possible suggestions are as follows (see enclosures):

1. Buildings which require special structural inspection as defined in Section 340.07 of the City of Phoenix Building Code.
2. Buildings with an importance factor greater than one (1.0) as defined in Table No. 2J-K of the Uniform Building Code.

If we can be of further service to the Board in resolving this matter, please feel free to contact us.

Very truly yours,

George S. Priniski, President  
Structural Engineers Association of Arizona-Central Chapter

GSP/amm  
Enclosures (2)



- a) A list of those people who sent in elderly waiver forms--- we asked the system how many there were, and who were they in numeric sequence. This list is shown on Page \_\_\_\_\_.
- b) An extract report that lets me know how we stand in the renewal process, shown on Page \_\_\_\_\_. This report shows us the file status as of February 13, 1981 by alpha class total number of active, delinquent, lapsed, deceased, revoked, and denied people, and the dollars involved. It also is designed to report on pending applications and numbers of of in-training certificate holders. We can get this management information at any time out of our file on one day notice. Please note that we lack much input data to make this a complete picture. We need the terminal to get this data in the master file, in transfer of records from our office to Data Center.
- c) An example of a report on unsuccessful renewal transactions is shown on Page \_\_\_\_\_. These did not go into the master file. We asked the programmer for a list of these people and the reason for rejection of the item on a separate report of transactions. This is the type of report that requires staff reaction and continued maintenance to refine the errors. Out of 8,184 transactions, this report of 8 transaction failures came to us. I jump for joy every time I think of countless hours we spent last year trying to find why our records and Data Center reports didn't agree.
- d) An example of a maintenance error report is shown on Page \_\_\_\_\_. Here, we asked the programmer to give us a separate list of maintenance failures, and the reason the item didn't run. This is another report that required staff reaction in order to insure an accurate record. Last year, many of these items were overlooked because the reject data was shown in order it was processed, and the only information concerning the reject was the reject itself. Now, these errors are reported out separately from the successful transactions, and each can be corrected and checked off.

All of staff reaction on error reports can go directly back to the master file through our terminal when it is on line, immediately and finally.

8. We've done many other little things too numerous to mention specifically except to say that with the people we have we'll never catch up with all we have to do. We desperately need the staff additions we have requested, and I hope by this report that you will know we have fully prepared the process to allow them to work effectively.